

This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + Refrain from automated querying Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at http://books.google.com/



L Scot B 58 d. Edwartin 3

L,L

Cw. Scotl.

510

544706





•

MANUAL

OF

THE EDUCATION ACT

FOR

SCOTLAND

35 & 36 VICTORIA, CHAP. 62 (1872)

ΒY

ALEXANDER CRAIG SELLAR

ADVOCATE

SECRETARY TO THE LORD ADVOCATE OF SCOTLAND

SIXTH EDITION

REVISED AND ENLARGED.

WILLIAM BLACKWOOD AND SONS
EDINBURGH AND LONDON
MDCCCLXXIII

) .

CONTENTS.*

							PAGE
INTRODUCTION, .	•	•	•	•	•		i
SUMMARY OF ACT, .							•
CONSTITUTION OF SC	CHOOL I	DISTRICT	8, .				•
MANAGEMENT OF SC	HOOLS,	•					v ii
SUPPLY OF SCHOOL	ACCOMB	40DATI0	N, .				xvii
FINANCE AND PARL	IAMENT	ARY GR	ANT,		•		xxiv
TEACHERS, .							xxxii
HIGHER CLASS PUB	LIC SCH	ools,	•				xxxvii
INSPECTION, .		•					xlii
CONSCIENCE CLAUSE	, .						xlii
TIME-TABLE, .	•						xliii
COMPULSORY ATTEN	DANCE,						xliv
REPORTS, .							xlvi
REPEAL OF ACTS,							xlvi
SUMMARY OF PRINCIPAL	PROVISI	ONS REI	ATING !	го всно	OL BOA	RDS.	xlviii
SUMMARY OF PRINCIPAL						•	
EDUCATION							liii
SUMMARY OF PRINCIPAL	PROVIS	SIONS B	ELATIN	ото т	HE SCO	TCH	
EDUCATION DEPARTME							lviii
SUMMARY OF PRINCIPAL	•	S OF SC	HOOL I	BOARDS.	BOARI	OF	
EDUCATION, AND DEPA				•		•	lix
THE EDUCATION (SCOTLA	ND) AO	r, 18 72 ,	with :	notes,			1
SCHEDULES-							
A. SCHEDULE OF TO	WNS IN	CLUDEI	IN T	E DEF	INITION	OF	
BURGH AND M	ANAGIN	G BODIE	s of s	AID TOT	VNS,	•	51
B. GENERAL RULES	RESPECT	TING EL	ECTION	OF MEM	BERS ()F A	
SCHOOL BOARD	SUBSEC	QUENT 1	O THE	FIRST 1	ELECTIO	N, .	51
C. SCHEDULE OF HIC	HER C	LASS SC	HOOLS,	•			52
* The pages in Roman figure Act and the Appendix.	ares refe	r to the S	ummary	: those i	n Arabio	figure	s, to the

CONTENTS.

APPENDIX-	
1. INCORPORATED SECTIONS OF LANDS CLAUSES CONSOLII TION (SCOTLAND) ACT, 1845,)A- . 53
2. CLAUSES OF POOR LAW (SCOTLAND) ACTS RELATING ASSESSMENTS,	то . 57
3. COMMISSIONERS CLAUSES ACT, 1847—MORTGAGES,	. 64
4. INDUSTRIAL SCHOOLS ACT,	. 70
5. NOTE ON STAMP DUTIES,	. 88
6. ORDER IN COUNCIL APPOINTING SCOTCH EDUCATION I)E- . 96
•	
7. APPOINTMENT OF BOARD OF EDUCATION,	. 96
8. SCOTCH CODE, 1873,	. 97
9. CIRCULAR AND MINUTES OF THE SCOTCH EDUCATI DEPARTMENT AS TO APPROVAL OF TIME-TABLES, A MODIFYING THE 66TH ARTICLE OF THE SCOTCH CO	ND
(1873),	. 12
10. HIGHLAND SCHOOLS ACT, 1873,	. 130
11. FORM OF CONVEYANCE FOR TRANSFERENCE OF A SCHOOL BOARD,	OOL 13
12. REPEALED ACTS-	
WILLIAM III., CHAP. 26—ACT OF 1696,.	. 134
43 GEORGE III., CHAP. 54—ACT OF 1803,	. 13
1 & 2 VICTORIA, CHAP. 87—ACT OF 1838, .	. 149
24 & 25 VICTORIA, CHAP. 107—ACT OF 1861, .	. 140
13. Rules, etc., for conduct of first elections,	. 15
SCALE OF BOARD REGULATING NUMBERS IN EA	
SCHOOL BOARD,	. 164
LIST OF SMALL BURGHS UNITED TO PARISHES,	. 164
CIRCULAR AS TO QUOAD SACRA PARISHES, .	. 16
LIST OF QUOAD SACRA PARISHES ENTITLED TO SEPARA SCHOOL BOARDS,	. 166
,	
14. LIST OF PARISHES AND BURGHS IN EACH COUNTY HA	
IN WHICH ELECTIONS FAILED,	. 168
15: INSPECTORS' DISTRICTS,	. 178
INDEX,	. 18
ADDENDA	011

INTRODUCTION.

THE Bill "to amend and extend the provisions of the Law of Scotland on the subject of Education" was introduced into the House of Commons by the Lord Advocate on the 12th of February 1872; read a second time on the 7th of March; considered during nine days in Committee and on Report; and passed the Lower House on the 27th of June. It was read a second time in the House of Lords, on the motion of the Duke of Argyll, on the 5th of July; passed through Committee on the 12th; and after being again amended in the House of Commons, it received the Royal assent on the 6th of August.

This Act is the conclusion of a series of efforts which have been made by Liberal Governments during a period of eighteen years to establish a system of National Education in Scotland. Five bills were introduced into Parliament on the subject between 1854 and 1870, and only one of them, the Act of 1861 (repealed by this Act), was carried. In 1870 the Elementary Education Act for England and Wales was passed, and in the following year a Bill for Scotland was introduced, being the sixth in the series. That Bill commanded much popularity in Scotland, and might have passed into law. But the work of the session was unusually heavy, and, owing to the lengthened debates on the Regulation of the Forces Bill and the Ballot Bill, no time was found for it. The Act of this year (1872) is in its main features a reproduction of that Bill, the only material differences between them being the provisions regarding

higher class public schools, and those regarding compulsory attendance. In both these matters the Scotch Statute differs from the English. The English Statute deals with elementary education alone; by the Scotch Statute the framework of a graded system of public education is laid down in an Act of Parliament comprehending infant, elementary, and higher class public schools. In Scotland education is made compulsory and universal by the direct agency of statute law in both town and country; in England it is left to the discretion of school boards appointed in localities to enforce education on the people or not.

The object of the Act is to amend and extend the provisions of the law of Scotland on the subject of education, in such manner that the means of procuring efficient education for their children may be furnished and made available to the whole people of Scotland. The principles upon which the Bill was framed are (in the Lord Advocate's words 1): "First, that the imperial money voted by Parliament for promoting national education should be, in Scotland as it was in England, administered by the Government, and not by a statutory Board, which would not be responsible to the Government, and for whose proceedings, consequently, the Government could not be responsible to Parliament. Second, that a popularly elected school board should be forthwith established in every parish and burgh, and that the duties of each school board should be, first, to manage all rate-supported schools within the district; next to provide such additional school accommodation as should be necessary in the district; and thirdly, to impose and levy such local school rates as should be necessary. there should be one uniform system of management, applicable without distinction to all public rate-supported schools, whether existing before the Act or established under the Act to supply the ascertained deficiency. Fourth, that the religious teaching was to be given at such hours that it would not interrupt or interfere with the secular instruction, and that children were at liberty to withdraw from it without losing any part of the secular instruction." These were the

¹ Lord Advocate in Committee, June 3.

leading principles of the Bill, and they are the leading principles of the Act. Effect is given to the first principle by the creation of a Scotch Education Department of the Privy Council, consisting of members of the Government, including the president and vice-president of the Council, and the Lord Advocate of the time, whose duty it is to determine the rates and conditions according to which Parliamentary grants may be given in Scotland, and to frame, and from time to time revise, the minutes containing these rates and conditions. The second principle is carried out by the sections providing for the establishment of school boards in every parish and burgh, and those specifying the duties and powers of the school boards. The third by those provisions which deal with the parochial and burgh schools existing at the passing of the Act, and with the establishment of new schools. And the words in the preamble, "whereas it has been the custom in the public schools of Scotland to give instruction in religion to children whose parents did not object to the instruction so given, but with liberty to parents, without forfeiting any of the other advantages of the schools, to elect that their children should not receive such instruction, and it is expedient that the managers of public schools shall be at liberty to continue the said custom," coupled with the Conscience Clause (§ 68), carry out the fourth principle. The Bill as introduced, and as it passed the Commons, did not contain these words, and the Conscience Clause was different. The House of Lords inserted the following as part of the preamble—viz.: "And whereas it has been the usage in Scotland, sanctioned by legislation, to make provision for religious instruction in public schools as an essential part of education, and it is desirable in extending the system of education to afford means for continuing such religious instruction to all children whose parents do not decline it on conscientious grounds." But the House of Commons substituted the words in the Act for these words on the ground that they were accurate in point of fact, which the others, in so far as they differed from them, were not. It was not proposed in either House to insert any enacting clause in consequence of these words in the preamble; and the preamble was assented to because it was in harmony with the provisions

in the Bill. There is no injunction to give instruction in religious subjects. The words in the preamble may be construed by the managers of public schools as an expression of what is clearly to be inferred from the enacting clauses, viz., that, subject to the restrictions therein expressly specified, they may make what arrangements they think proper with regard to religious teaching in the schools under their management. These restrictions relate to the time to be appointed for such teaching, and the liberty given to parents to elect that their children shall receive it or not as they—the parents—may see fit.

The Act may be regarded as divided into seven parts, dealing with:—

- 1. Constitution of school districts, (§§ 1, 8, 9, 10, 11, 17).
- 2. Management, (§§ 3, 4, 5, 8, 12-22, 48, 52, 57, 58, 67, 70).
- 3. Supply of school accommodation, (§§ 23-42).
- 4. Finance and Parliamentary grant, (§§ 43-53, 67, 70, 78).
- 5. Teachers, . . . (§§ 54-61, 76, 77, 78).
- 6. Higher class schools, . . (§§ 62-64).
- 7. Miscellaneous provisions, . (§§ 65-80)—
 e.g., inspection, (§ 66); conscience clause, (§ 68); compulsory attendance, (§§ 69-73); repeal of Acts, (§ 78).

In the following Summary of the provisions of the Act, it is proposed to adopt this division, and to explain, where it may be thought necessary, the provisions relating to the several parts.

SUMMARY.

I. CONSTITUTION OF SCHOOL DISTRICTS.¹

Sections 1, 8, 9, 10, 11, 17.

EVERY parish and every burgh (subject to the exceptions mentioned below) is constituted a school district.

Within twelve months after the passing of the Act-i.e., before the 6th of August 1873—a school board shall be elected for and in every school district in Scotland.

Parish is defined to mean any parish which does not wholly consist of a burgh or part of a burgh, and to include any school district formed under the Act.² § 1.

Burgh is defined to mean any royal burgh and any burgh or town returning, or contributing as a burgh to return, a member to Parliament, and to include eight towns specified in a schedule appended to the Act-viz., Girvan, Wick and Pulteneytown, Alloa, Kirkintilloch, Dalkeith, Broughty-Ferry, Bathgate, and These towns do not come within the definition of burgh as given above, but they are sufficiently important and populous to be considered as school districts separate from the country parishes which surround them.

Area of a Parish.

The area of a parish is exclusive of the area of any burgh or part of a burgh situated therein, for which a school board is required to be elected. § 9.

¹ District is used here in a general sense. It has also a special sense under

this Act—viz., the union of portions of two or more parishes detached from the main body of the parish and formed into a school district. Cf. § 17.

A quoad sacra parish made up of parts of two or more civil parishes is esteemed a parish for the purposes of the Act, and as such is entitled to have a separate school board. Cf. § 10, p. 7, note 2, p. 166.

United Parishes.

Parishes or parts of parishes united quoad omnia or quoad sacra are deemed one parish. § 10.

Small Parishes.

Small or thinly-populated parishes may be added to adjacent parishes by order of the Board of Education, and when so added shall be regarded as part of the parish to which they are added. § 17.

School Districts.

School districts may be formed by two or more school boards detaching portions from their parishes and uniting them into districts.

Such districts are deemed parishes.

The consent of the sheriff of the county in which such parishes or any of them lie must be given to this arrangement.² § 17.

Small Burghs may be united with their Parishes.

A burgh with a population under 3000 s may, by order of the Board of Education, be dealt with as part of the parish in which it, or the greater part of it, is situated. The order must be issued within six months after the passing of the Act—i.e., before the 6th of February 1873. § 11.

Area of a Burgh.

The area of a burgh shall be taken to be the limits within which the municipal (or if there are no municipal, the police) assessments are levied. § 9.

¹ A list of *quoad sacra* parishes entitled to School Boards under this section will be found in the Appendix, p. 166. Rules for the conduct of the first elections in such parishes have been issued by the Board under the powers conferred on them by § 12, sub-sec. 5, and will be found in the Appendix, p. 156. Cf. p. 7, § 10, note 2.

² For the election of school boards to such districts, cf. p. 13, note 2. Appendix, p. 156.

³ According to the census of 1871, there were 4 Royal and 29 Parliamentary burghs with populations under 3000—viz., Auchtermuchty, Earlsferry, Falkland, Newburgh, Anstruther-Easter, Anstruther-Wester, Bervie, Crail, Cromarty, Cullen, Culross, Dingwall, Dornoch, Fortrose, Inverary, Inverkeithing, Inverurie, Kilrenny, Kinghorn, Kintore, Kirkcudbright, Lauder, Lochmaben, New Galloway, North Berwick, Oban, Peebles, Pittenweem, Queensferry, Sanquhar, Tain, Whithorn, Wigtown. All these burghs, with the exception of Anstruther-Easter and Oban, have been united to parishes. A list will be found in the App. p. 164.

Disputes as te the area of School Districts.

Any question or dispute regarding the area of any parish or burgh shall be settled either

- 1. By the Board of Education;
 - or,
- 2. By the sheriff of the county in which the parish or burgh, or the greater part thereof, is situated, on an application by the school board authorised by the Board of Education.

The determination in either case shall be final. § 9.

II. MANAGEMENT.

Sections 3, 4, 5, 8, 12-22, 48, 52, 57, 58, 67, 70.

Management vested in School Boards.1

The management of the public schools² is vested in the school boards established in the different school districts.⁸ § 26.

Scotch Education Department.

In order to regulate the distribution of the Imperial money provided by Parliament for public education in Scotland, a Committee of the Privy Council on Education in Scotland is appointed by the Queen called the Scotch Education Department.⁴

The Committee were named on the 9th of August 1872. They consisted of—

The Lord President of the Council. (The Marquess of Ripon.)

- 1 A summary of the principal provisions regarding school boards will be found at p. xlviii.
- ² Public school is defined to mean any parish or burgh school or any school under the management of a school board.
- "The management of the schools was committed to the school boards in Scotland, and to no one else. Nothing whatever connected with the management of the schools in Scotland was committed to the Privy Council."—Lord Advocate, June 3d.
- Scotch Education Department is defined to mean the Lords of any Committee of the Privy Council appointed by Her Majesty on Education in Scotland.

The Vice-President of the Committee of Council on Education. (Mr Forster.)

The First Lord of the Treasury. (Mr Gladstone.)

The Chancellor of Exchequer. (Mr Lowe.)

The Duke of Argyll.1

Mr Bruce.

The Lord Advocate. (Mr Young.)

The principal duties² of the Department during the existence of the Board of Education are—

- 1. To see to the distribution of the annual and building grants in Scotland. §§ 5 and 67.
- 2. To frame the code of minutes in accordance with which those grants will henceforth be made. §§ 5 and 67.
- 3. To regulate and conduct the examination of candidates for certificates of competency. §§ 57, 58.

These duties are at present performed for Scotland by the Committee of Council on Education, which, since the passing of the Elementary Education Act of 1870, have been called the Education Department.

The Scotch Education Department are constituted a different committee from the Education Department, but both are in fact branches of the Government of the day. They are assisted by a permanent secretary in London (Sir Francis Sandford, C.B.), and a staff acting under him who carry on the regular work of the departments, and for whom the Government are responsible to Parliament.

The Scotch Education Department will in the following pages be called "The Department."

Board of Education.

In order to get the new system into working order and to bring the provisions of the Act into operation, the Department and the school boards are to be assisted by a temporary Board of Education in Scotland.

¹ The Duke of Argyll was Secretary of State for India, and Mr Bruce, Home Secretary; but they were appointed *personally*, owing to their connection with Scotland, and not in virtue of their office.—Cf. Appendix, p. 96.

³ A summary of the principal provisions regarding the Department will be found at p. lviii.

The Board are to hold office for three years, and, if necessary, for two years more. They are responsible to the Department, and on the expiration of their original or extended term of office their powers and duties devolve upon the Department, and "thereafter the clauses and provisions of the Act in which the term 'Board of Education' occurs shall be construed as if the term 'Scotch Education Department' were substituted therefor." (§ 3, sub-sec. 6.)

The principal duties of the Board are2-

- 1. To assist in the organisation of school districts and school boards.
- 2. To give advice and directions as to the institution and establishment of new schools, and to regulate the amount of school accommodation to be provided in each school district.
- 3. To submit to the Department the conditions according to which in their opinion Parliamentary grants should be distributed in Scotland. § 5.

The members of the Board were appointed on the 10th of October 1872, viz.:—

Sir John Don Wauchope, Bart., Chairman.

Sir William Stirling Maxwell, Bart.

⁸John Ramsay, Esq.

Sir Alexander Grant, Bart.

Rev. John Tulloch, D.D.

Rev. James Taylor, D.D., Secretary.

The chairman, two members, and the secretary, have salaries. Two members are a quorum. The office of the Board is in Edinburgh.⁴ The ordinary meetings will be held there every month except August and September. The chairman or some other member and the secretary will attend regularly at business hours during at least nine months in the year. The

^{1 &}quot;I have no doubt that the Board could accomplish their work in two years; and indeed I might say that my knowledge of the facilities already existing in Scotland leads me to believe that they will do it in less time."—Mr W. E. Forster, 30th July 1872.

³ A summary of the principal provisions regarding the Board will be found at p. liii.

³ Without salary.

⁴ The office is in 32 Queen Street.

Board may appoint one or more of their number to perform special duties connected with the execution of the Act, and to visit such places as may be necessary for that purpose. § 3.

The first meeting of the Board was held in Edinburgh on Friday the 18th of October 1872. § 4.

The Board of Education will in the following pages be called "The Board."

First Elections of School Boards.

The first election of school boards will be conducted in accordance with the following provisions.

Number of Members.

1. The number of members in each school board will be determined by the Board according to the requirements of the school district. Each school board must consist of not less than five and not more than fifteen members.¹ § 12, sub-sec. 1.

Candidates.

2. Any one, not being a teacher in a public or state-aided school—i.e., a school in receipt of Parliamentary grant—is eligible as a member of a school board.

No qualification as to age, sex, residence, or ownership is required for membership, and the same person may, if elected, be a member of two or more Boards.²

Electors.

3. The electors consist of all persons of lawful age whose

¹ Five and fifteen are the limits allowed by the English Act, the determination of the number resting with the Department. The following is the scale laid down by the Education Department with reference to the number of members of school boards in England:—

Population under				No. of Members.		
5000 .						5
15,000 .				•	•	7
40,000 .		•				9
70,000 .			•	•	•	11
100,000 .	•	•	•	•	•	18
Over 100,000 .	•					15

A similar arrangement will be made in Scotland. Scale of the Board regulating the number of members of School Boards will be found in the Appendix, p. 164.

There is nothing in the Statute positively to prevent a Returning Officer from being a candidate or from voting at an election. But it is clearly inexpedient, and at common law perhaps incompetent.

pedient, and at common law perhaps incompetent.

The jurisdiction conferred by the Act upon Sheriffs and Sheriff-substitutes renders it undesirable that they should act as members of school boards in their competencies.

³ Females, if otherwise qualified, may vote as well as males.

names are entered on the latest valuation roll¹ applicable to the parish or burgh for which the school board is to be elected, as owners or occupiers of lands or heritages of the annual value of £4 and upwards, situated within the school district for which the school board are to be elected.² § 12, sub-sec. 2.

Conduct of Elections.

4. The elections will be conducted in accordance with rules and directions which will be issued by the Board within six months of the passing of the Act, and published in the Edinburgh Gazette. § 12, sub-sec. 5.

Authorities to conduct Elections.

5. The old managers of the parish and burgh schools—viz, the qualified heritors⁴ and minister in each parish, and the town council in each burgh,⁵ or if there is no town council the bodies specified in Schedule A of the Act, are constituted the authorities to initiate the first elections.

They are to meet as soon as conveniently may be after the publication by the Board of the rules in the Gazette, and are to fix a time and place for the elections in their parishes and burghs respectively, and to appoint returning officers.⁶

They are to transmit written information to the Board that they have taken these preliminary steps.

If they fail in any parish or burgh to do so for three months after the publication of the rules,⁷ the Board will require the sheriff of the county to perform the duty. § 12, sub-sec. 3 and 4.

&c.," are used. There is no such thing as the "valuation roll of a parish or ourgn.

2 It was proposed in the House of Commons that an elector should be disqualified if he were in arrears of either poor-rate or school-rate, but the amendment was not pressed.

The Rules were issued on January 21, 1873, and will be found in the Appendix,

5 It will be observed that there is no provision for the election of members of

School Boards in burghs according to wards.

As to returning officers in England, cf. p. 12, note 1.

7 After April 21, 1878.

¹ The valuation roll is made up each year on September 30th. The elections, after the first, will probably be appointed to take place, so far as possible, in the following month, so that the correct valuation roll may be used. Cf. as to valuation roll, p. 8, notes 2 and 3. It is perhaps unnecessary to add that no votes can be given by proxy. It will be observed that the words "applicable to the parish, &c.," are used. There is no such thing as the "valuation roll of a parish or burgh."

p. 155.

4 Qualified heritors. By § 22 of the Act of 1803 (43 Geo. III. c. 54), no heritor is entitled to vote at any meeting with reference to schools "who is not a proprietor of lands within the parish to the extent of at least £100 Scots of valued rent, appearing in the land-tax books of the county."

Voting.

- 6. Each voter is entitled to give as many votes as there are members to be elected, and he may distribute his votes as he pleases.1
- E.g., If a school board are to consist of ten members, each voter has ten votes, and he may give ten votes for one candidate, or one vote for each up to the number of ten, or make any other distribution he pleases. § 12.

Determination of Questions as to Elections.

7. Candidates having the majority of votes at any election are to be elected.

In case of equality the returning officer decides which candidate is to be deemed elected.

Any question or dispute regarding the election of a candidate is to be determined summarily by the sheriff of the county, on the petition of any one having a legal right to raise such ques-The sheriff's determination is final. § 14.

First Meeting of School Board.

8. The time and place of the first meeting of the school board (which must be within fourteen days of the election) will be announced, at the time of declaring the election, by the returning officer.2

Notice of election must be sent by him to each member of the school board, with a notice to attend the first meeting. § 16.

Invalid Elections.

In case of an invalid election, the school board, if a quorum exist—i.e., if there are three members duly elected,8 will fill up the vacancy or vacancies.

¹ This provision for cumulative voting has been adopted in England to protect minorities and give them a fair proportion of representation. It was not in the Bill as introduced, but was inserted on the motion of Sir Edward Colebrooke, and

Bill as introduced, but was inserted on the motion of Sir Edward Colebrooke, and after a division in which only 36 members voted against it.

There is no provision in the rules for first elections in parishes and school districts to enable illiterate voters to get assistance in recording their votes within the polling places. Any explanations, therefore, should be given to such voters before they enter the polling place. In burghs this difficulty will not arise, as the balloting will be conducted under the Ballot Act of 1872.

The Act does not expressly put this duty on the returning officer; but it clearly implies that he should discharge it.

3 § 21. Three members are a quorum.

If there is no quorum, or if the school board fail for three weeks to make the necessary appointments, the Board may order a new election of as many members as may be necessary to complete the number. § 15.

Vacancies.

Vacancies in any school board elected either at the first or at subsequent elections will be supplied by the school board itself nominating a person to supply the vacancy.

Every person so nominated will go out of office at the same date as the school board. § 13.

Nomination of School Boards.

If any school district is without a school board at the end of one year from the passing of the Act (August 6, 1873), the Board will nominate a school board for it.

The Board will also fix the time and place of meeting, and the school board will be bound to meet accordingly. § 20.

By means of these provisions a school board will be constituted in every parish and burgh in Scotland within twelve months of the passing of the Act.

These school boards will remain in office until a new election takes place.

Elections subsequent to the first.

Elections subsequent to the first will be conducted in much the same manner as the first election, the main difference being that the time for the elections will be fixed and the rules for the conduct of them issued by the Department and not by the Board.

And the Department are to have regard to the circumstances and convenience of localities in fixing the time for these elections.¹ § 13.

School boards will remain in office for three years. They will, in convenient time before the expiration of their period of office, take the necessary steps for the election of their successors. § 13.

As the Bill passed the House of Commons, the time was fixed in the section dealing with subsequent elections; but the House of Lords, considering it might be inconvenient to fix by statute the same time for all localities, altered this. When the Bill returned to the House of Commons, the clause which now stands as part of the Act was introduced to give effect to the intention of the House of Lords.

Failure to elect a School Board.

If any election should not take place in accordance with the Act, the Department may,—

- 1. Order an election.
- 2. Allow the existing school board to continue in office.
- 3. Nominate a school board for the parish or burgh in which the failure has occurred.

In the latter case, the nominated school board will continue in office for the same period as a school board elected under the Act at the time when the failure occurred, and they have all the powers, and are required to perform all the duties of an elected school board. § 13.

Power to alter School Districts.

- 1. The Board may order small or thinly-populated parishes to be added to adjacent parishes. § 17.1
- 2. The Board 2 may order the election of a school board for any burgh or town for which a school board have not previously been elected.

The limits of the burgh or town thus formed into a new school district will be specified in the order. The school district will thereafter be esteemed a burgh for the purposes of the Act, and will cease to be included in the area of the parish in which it is situated. § 18.

3. The Board may discontinue a school board in any burgh or town in which a school board have been established.

In this case the burghal school district will cease to have a separate existence from the parochial district, in which it will be incorporated. § 19.

Time for making these Alterations.

Any order of the Board carrying these alterations into effect should be framed so as to come into operation at the next election of a school board for the locality. § 19.

The powers under sections 18 and 19 (numbered 2 and 3 in the preceding paragraph) cannot be put in force before the lapse of three years from the passing of the Act.

¹ Cf. p. vi, Small Parishes.

These powers, numbered 2 and 3, cannot be put in force till after the 6th of August 1875. Cf. § 19.

The object of these provisions is to enable the Board or the Department to adjust from time to time the educational machinery to the changing circumstances of localities. If a large mining population were to grow up in any village which formed part of a rural district, it might be expedient to set up both a parish and a burgh school board in that district, otherwise the rural part would be too heavily burdened.

On the other hand, if experience showed that the burgh population of a district were over-taxed, and that the residents in the rural part got too much advantage, in proportion to their share of taxation, of the schools provided by the burgh, the Board or the Department would discontinue the burgh school board, and have only one school board in the district.

School Boards are bodies corporate.

The school boards having been duly elected, or otherwise constituted, they are declared to be bodies corporate, with perpetual succession and power to acquire and hold land for the purposes of the Act. § 22.

Duties to be performed at first Meetings.

At their first meetings they will—

1. Appoint one of their number to be chairman during the school board's tenure of office.

The chairman has a deliberative, and, in cases of equality, a casting vote. § 21.

- 2. Appoint a treasurer during pleasure, and with such remuneration as they see fit. § 48.
- 3. ² Appoint a clerk or clerks, and other necessary officers, during pleasure, and with such remuneration as they see fit. § 52.

Two School Boards may employ the same Officers.

Two or more school boards may employ the same treasurer or other officer. § 52.

¹ If this appointment is not made at the first meeting of the school board, it must be made "as soon thereafter as conveniently may be."

These appointments can be made only at the first meeting, unless notice in writing has been sent to every member of the school board. Though the Act seems to imply that these appointments, and that of treasurer, should be made at the first meeting of a school board, it would appear in practice to be of doubtful

Officer to report as to defaulting Parents.

Every school board must appoint an officer to report to them what parents resident in their school district fail to provide elementary education for their children, in order that the school boards may put in force the provisions regarding compulsory education. § 70.

Managers.

School boards may appoint managers 1 (not less than three in number) to manage the schools under their charge.

They may delegate to these managers all their powers except that of raising money. The managers may be removed by the school boards, or they may resign on giving written notice to the school boards. § 22.

Quorum.

Three members of a school board shall be a quorum. The following case may be quoted as bearing policy to make them so soon.

on the subject from Owen's Manual, p. 353:—
"In 'The School Board of Castelford' the Court of Queen's Bench refused an application for a quo warranto against the clerk of the school board. The grounds on which the writ was moved for were, that notice was not sent to every member of the school board prior to the appointment being made, as required by § 35 of the Elementary Education Act [corresponding to § 52 of this Act], and that a person who was not a member of the board voted at the election. Chief Justice Cockburn in delivering judgment said, that the office of clerk was held at the pleasure of the school board, and that if the clerk was elected against the will of the majority, the majority had it in their power to displace him. Under these circumstances, even if the writ lay, the Court could not allow so made expressions. much expense to be incurred unnecessarily.

By Schedule 3, No. 7, of the Elementary Education Act, 1870, it is provided that the appointment of an officer may be made by minute of the school board

signed by the chairman, and counter-signed by the clerk, if any.

In selecting these officers school boards will, of course, be guided by the circumstances of their respective parishes and burghs. Expediency would point to the exclusion of teachers from the offices of clerk and treasurer. The relations between such officers and the school board must necessarily be more confidential than those between the teacher and the school board. Circumstances might arise where the school board have to sit in judgment on the teacher. In such cases the accused could not act as clerk. If the teachers employed by the school board are excluded, rival teachers not employed by school boards should also be excluded. In many parishes it will prove a natural solution to employ the Inspector of the Poor as clerk and treasurer. In burghs there will be less difficulty in making a proper selection. Teachers, unless in very special circumstances, will not be recognised by the Department as clerks or treasurers to school boards. Cf. Code, article 15. In These is nothing to prevent a propher of a school board. article 15, b. There is nothing to prevent a member of a school board from acting as clerk or treasurer. It is different in England. By § 34 of the Elementary Education Act, 1870, members are disqualified from holding any place of profit in the gift of the Board.

The managers may be selected out of their own number, or not, as the school

board think proper.

Two or more school boards may appoint the same managers.

III. SUPPLY OF SCHOOL ACCOMMODATION.

Sections 23-42.

Parish and Burgh Schools vested in School Boards.

All parish and burgh schools are vested in the school board of the parish or burgh in which they exist. §§ 24, 25.

Parish School.

Parish school includes by its definition the following schools:—

- 1. Parochial, in landward parishes.
- 2. Side, . . established under 43 Geo. III. c. 54.
- 3. Parliamentary, " 1 & 2 Vict. c. 87.
- 4. Heritors' girls' schools, " " 24 & 25 Vict. c. 107, § 5.
- Schools established by or transferred to a parish school board.

Every school, with the teacher's house and land, belonging to the first four classes, if situated in a landward parish, is vested ipso facto in the school board of the parish.

If situated in a burghal parish—in the school board of the burgh.

If situated in a parish partly landward and partly burghal, and being the parish school of the landward part—in the school board of that part.

The school boards supersede and come in place of the old managers—viz., the qualified heritors, and the minister. All the powers, obligations, and duties of the old managers in regard to these schools are transferred to the school boards.

All ecclesiastical superintendence over public schools is abolished, and all connection between the public schools and the Church severed. § 23.

¹ Parish school shall include any school established under the recited Acts, or any of them, and any school established under this Act by the school board of a parish, or which is by this Act vested in and placed under the management of the school board of a parish. § 1.

Burgh Schools.

Burgh school by its definition includes every public school situated in a burgh.

These schools are vested *ipso facto* in the school boards of the burgh, and the school boards supersede and come in place of the old managers—viz., the town council and magistrates, or other authorities, in whom the school management was vested. § 24.

Public Schools.

Every school under the management of the school board of a parish is a Parish school, and every school under the school board of a burgh is a Burgh school.

All such schools are declared to be Public schools. The rights of any teacher of a parish school which may by the Act become a burgh school, and of his successors, to participate in any bequest ² for the behoof of teachers in parochial schools, will not be prejudiced, nor will the powers of the trustees of such bequest. § 25.

All public schools, whether existing at the passing of the Act or subsequently supplied, are vested in and placed under the management of the school boards of their respective districts. § 26.

School Boards to make an Educational Census in their respective School Districts.

Every school board must provide efficient education for all persons resident in their parish or burgh, and a sufficient amount

- ¹ Burgh school shall include any school to which that term is now legally applicable, although it may be called an academy, or a high school, or a grammar school, or any other name, and any school established in a burgh by the school board thereof, or which is by this Act vested in and placed under the management of the school board of a burgh. § 1.
- This provision was inserted in the House of Lords in the interests of those schoolmasters in Aberdeen, Banff, and Moray who participate in the Dick Bequest. By the terms of that bequest the trustees are bound to allow only parochial teachers to participate. As the Bill was framed, a parochial school might under its provisions be deemed a burgh school, and so, it was thought, cease to participate in the bequest.

A similar provision, but in more precise terms, was introduced also in the House of Lords to preserve the right of the trustees of the Milne Bequest. Cf. § 79.

of accommodation in public schools available for all for whom efficient education is not otherwise provided.¹ § 26.

The first duty, therefore, of every school board is to ascertain and take into consideration the educational wants of their district, and the extent and quality of the provisions for supplying education by means of existing schools in or sufficiently near to be convenient for the use of their district. § 27.

Power to carry out Census.

In order to carry out their inquiries effectually, power is given to them to call upon public officers, clergymen, teachers, and managers of schools, for any information or documents they may require.

They may also appoint fit persons to procure such information, and to inspect the schools situated in their districts. The same powers are by this section conferred upon the Board.

No school subject to inspection, not being a public school, can be inspected without the consent of the managers, except by one of H.M. Inspectors. § 30.

In case of refusal to allow Inspection.

If the managers or teachers of a school refuse to fill up the forms required, or to allow the school to be inspected, no account will be taken thereof. § 35.

School Boards report their determination to the Board.

After a school board have made their census, if they find that the requirements exceed the supply, they must determine how they can best provide sufficient school accommodation to meet them.

They shall forthwith report their determination to the Board, setting forth in their report all that may be necessary to enable the Board to judge of their determination.

¹ It will be observed that the public schools need not be in the school district. So long as they are available for—i.e., within convenient reach of—the residents, that is all the Act requires.

If they are of opinion that the demand is sufficiently supplied by means of the existing schools, they must report accordingly.

These reports must be transmitted within nine months after the election of the school board. § 27.

Board will deal with the Report.

The Board may approve of the determination of the school board with or without qualification or addition;

Or they may direct a further report;

Or they may direct an inquiry by persons appointed by them. § 28.

School Board will carry out their determination or the order of the Board.

If the Board approve of the school board's determination, the latter will without delay carry out their determination.

If the Board order additional accommodation to be provided, though not determined on by the school board, the latter must carry out the order. § 28.

Board may order inquiry at expense of School Board if Report unsatisfactory.

If any school board fail to transmit a report, the Board will send them a requisition.

If the failure continue for one month after the requisition has been sent;

Or if any report be unsatisfactory,—

The Board may direct an inquiry at the expense of the defaulting school board; and may thereafter issue such directions as they see fit with respect to providing school accommodation, and these directions must be carried into effect by the school board without delay. § 29.

Existing Schools to be taken into account.

In considering the requirements of a parish or burgh, every

school, whether public or not, and whether in the parish or burgh or not, which can be considered to afford efficient education to the residents in the parish or burgh, is to be taken into account by the school board and the Board. § 30.

Returns may be required from time to time from any School Board.

The Board may from time to time require from any school board returns regarding their schools, and the children resident in their districts. § 31.

The forms for returns will be supplied by the Board, and the managers or principal teachers of the schools must fill them up. § 32.

If a school board fail to perform this duty, the Board may appoint a person to make the return at the expense of the school board. § 33.

Maintenance of Schools by School Boards.

The second duty of every school board is to maintain and keep efficient every school under their management, and to provide such additional school accommodation as may, either by them or by the Board, be judged necessary.

Compulsitor.

If they fail in this duty, they may be summarily compelled to perform it by the Board, through the agency of the Court of Session. § 36.

School Boards may Sell any of their Schools, &c.

In many school districts a redistribution of the existing schools may be necessary.

To carry this out, school boards are permitted, with the sanction of the Board—

- 1. To discontinue any school under their management.
- 2. To change the site.
- To sell any school buildings connected with a discontinued school.

Under this section any parochial or burgh school may be sold, and any Free Church or other school which has been transferred to a school board, and any school which has been established by a school board. The sanction of the Board is necessary to such sale. § 36.

Proceedings for providing Schools.

School boards may acquire sites for school buildings, and may buy or take on lease any existing schools (except denominational and subscription schools, § 381), and they may enlarge any school under their management.

For the purpose of the purchase of land or buildings by school boards, the clauses of the Lands Clauses Consolidation (Scotland) Act, 1845, with respect to the purchase of lands by agreement, are incorporated with this Act. § 37.

Transference of Schools.

School boards may also, with the sanction of the Board, accept of the transference of any denominational or subscription school; and those vested with the title to any such school, with the consent of not less than two-thirds of the administrators of the trust, may transfer it.

The transference may be effected by an ordinary disposition duly recorded.8

No stamp or other duty is required.4

It may be made a condition of the transference that the teacher be continued in office; also, that the schoolhouse be

¹ The words of the provision in section 38 are,—"Schools erected or acquired and maintained, or partly maintained, with funds derived from contributions or donations (whether by members of a particular Church or religious body or not) for the purpose, or authorised by the contributors or donors to be applied for the

purpose of promoting education."

2 These clauses will be found in the Appendix, p. 53.

3 A form of conveyance will be found in the Appendix, p. 133. Cf. § 39, note, with regard to transference of Free Church, or other denominational schools, p. 24.

From a report of the Education Committee brought before the Commission of the Free Church General Assembly on March 5, 1878, it appears that out of 440 Free Church schools from which returns had been procured, the managers of 185 desire to transfer on the conditions specified in these sections; 110 desire to obdesire to transfer on the conditions specified in these sections; 110 desire to obdesire to transfer on the conditions specimen in these sections; 110 desire to obtain pecuniary compensation; 35 will not transfer without compensation; 50 desire to retain their schools; 35 give no opinion; 75 state that their schools do not come within the operation of the sections.

4 Note on Stamp Duties, cf. Appendix, p. 88.

used for other purposes besides teaching, so long as there is no interference with the regular work of the school.

A transferred school becomes a public school under the management of the school board to whom it is transferred, and subject to the provisions of the Act.

There is no provision for retransference. §§ 38, 39.2

Infant and Evening Schools.

Power is given to school boards to establish infant and evening schools—the former for children under seven years of age; the latter for scholars above thirteen years of age.

Evening schools may be held in any schoolroom vested in the school board.

Infant schools may be built, purchased, or leased. For this purpose any of the powers of the Act with respect to providing schools may be put in force.

Both classes of schools are public schools. § 40.

Industrial Schools.

Certified industrial schools may be established and maintained by any school board, with the consent of the Board.

These schools will be subject to the provisions of the Industrial Schools Act, 1866,⁸ and not of this Act, and the school boards will, with regard to such schools, be subject to the jurisdiction of the Home Secretary in the same manner as the managers of any other industrial school. § 41.

Combination of School Boards.

Any two or more school boards, whether of parishes or burghs, may, with the consent of the Board, combine for any purpose relating to public schools. § 42.

¹ In this respect the Scotch Act differs from the English Act. Cf. Elementary Education Act, 1870, § 24: Retransfer of school by school board to managers.

² Cf. p. 24, note on Transference of Schools.

This Act will be found in the Appendix, p. 70.

IV. FINANCE AND PARLIAMENTARY GRANT.

Sections 43-53, 67, 70, 78.

School Fund.

In every parish or burgh a school fund shall be established by the school board, and a treasurer appointed to take charge of it. § 43, 48.

Revenue.

The fund will consist of-

- 1. Money voted by Parliament—both building and annual grants. § 67.
- 2. Money raised by way of loan. § 45.
- 3. School fees. § 53.
- 4. The proceeds of sales of school buildings. § 36.
- 5. Fines recovered from parents who have been convicted under the compulsory clauses. § 70.
- 6. Salaries of Parliamentary schoolmasters under 1 & 2 Vict. c. 87, as they fall in. § 78.
- 7. Any portion of the parochial assessment levied for one year after the passing of the Act which may remain unexpended when the school board is elected. § 78.

Expenditure.

Out of this fund all the expenses of the school board must be paid, including those incident to the election of the Board.

The chief of these expenses will be-

- 1. Expense of election. Candidates pay their own expenses, but all other outlay falls upon the fund. § 43.
- 2. Expense of educational census in each parish and burgh, § 27.
- 3. Expense of inquiry made by officers of the Board in case of default. § 29.
- 4. Expense of returns in case of default. § 33.
- 5. Expense of providing school accommodation, and of furnishing school buildings. § 37.

- 6. Salaries of teachers and treasurer, and clerks, &c. § 55,52.
- 7. Examination of higher class schools. § 62, sub-sec. 6.
- 8. Expenses of putting the compulsory clauses of the Act in force. § 71.

Power to impose School Rates.

To meet any deficiency in the school fund, power is given to the school boards to raise funds by means of a local rate in their parish or burgh.

The provisions on this subject are as follows:-

1. Each school board shall before the 12th of June 1 in each year certify to the parochial board of their parish or burgh, the amount of the deficiency in their school fund.

The parochial board shall add the amount required as "school rate" to the next assessment for the relief of the poor, and levy and collect it along with the poor's assessment, and they shall pay over the amount to the school board.

- 2. In the case of burghs, parishes, or school districts which include more than one parish—e.g., Glasgow—the school board shall certify to the respective parochial boards the amount (not of the deficiency in the school fund, but) of the rate on each pound of rental which they shall levy and collect as "school rate" along with the poor's assessment.
 - 3. In cases where
 - (a.) There is no assessment for the relief of the poor; 2
- (b.) Such assessment is not laid one half on owners and one-half on occupiers; the school boards shall directly themselves levy and collect school rate as if it were poor's rate.
- ¹ Poor's assessment generally runs from Whitsunday to Whitsunday, and in the great majority of parishes is levied about the term of Martinmas for the year ending at the following Whitsunday. This practice, however, is not altogether uniform.

The estimates for next year must be prepared before June 12, 1874.

² According to the last report of the Board of Supervision it appears that there are 800 "assessed" parishes, of which in 594 the funds for the relief of the poor are raised by an equal rate upon owners and occupiers respectively: in 182 there is a classification of occupants in terms of § 36 of the Act 8 and 9 Vict. cap. 83: in 24 the assessment is levied according to established usage. In 87 parishes the funds are raised by voluntary contributions.—Twenty-seventh Annual Report of the Board of Supervision, p. x.

In all cases the school rate shall be levied in the same manner as poor's assessment; and the laws applicable for the time to the imposition, collection, and recovery of poor's assessments shall be applicable to the imposition, collection, or recovery of school rate.1 § 44.

Any surplus proceeds of a school rate shall be credited to the next year; and any deficiency shall be provided for in next year's assessment. § 44.

Power to Borrow.

School boards may, with the consent of the Board, borrow money on the security of the school fund and school rate,2 and may charge these with the payment of both principal and interest, when they require to incur expense in providing or enlarging schoolhouses.

For the purposes of such borrowing, the clauses of "The Commissioners Clauses Act, 1847," with respect to mortgages, are incorporated with this Act.8

The Public Works Loan Commissioners may lend money at 3½ per cent to school boards on the security of the school fund and school rate, to be repaid within fifty years. § 45.

School Fees.

The fees in all public schools, except the higher class schools,5 are to be fixed by the school boards, and paid to the treasurer

- ¹ This provision is so framed that in the event of a new Poor Law Act being passed, the provisions of it will apply to the collection of school rate. The clauses
- of the Poor Law Acts relating to assessment will be found in the Appendix, p. 57.

 And in no other way. The loan must be charged on the fund and rates; a temporary loan from a banker would be illegal.
- These clauses will be found in the Appendix, p. 64.
 This clause differs from the clause in the Elementary Education Act, 1870,
- 2. The Public Works Loan Commissioners must be fortified by a "recommendation from the Department" before they lend money to a school board. No such recommendation is necessary.
 board can borrow in any market. But the Board must consent before the school
- Attention is directed to the provisions for Building Grants. § 67. Note 3, 44.

 ⁵ Fees in higher class public schools are fixed by the teachers with the approval of the school board. These fees do not go into the school fund, but are paid in full by the treasurer to the teachers. § 62. Sub-sections 3 and 5.

of the school board, who shall keep a separate account of the fees derived from each school.

The fees go into the school fund. But power is given to school boards to pay the fees of any school directly to the teachers of that school, or to divide them among the teachers as they shall determine. § 53.

In country parishes this power is likely to be exercised. In many parishes it will suit the school boards to contract with the teachers for so much salary and the fees. In others, it will be more convenient to offer a fixed salary irrespective of fees.

Funds over which the School Boards have powers of Administration.

Besides the school fund which the school boards may deal with directly, there are certain funds handed over to them under the provisions of the Act over which they have powers of administration. These are:—

Existing Bequests.

- A. The income, as it accrues, of any money that has been vested—
 - 1. In the heritors or kirk-session, or any trustees, for the behoof of the parish school of any parish; or,
 - 2. In the town council or magistrates of any burgh, or any trustees, for the behoof of the burgh school; or,
 - 3. For the promotion of any branch of education in a parish or burgh school; or,
 - To increase the income of any teacher in a parish or burgh school.
- B. The annual sums which town councils have been in the custom of paying out of "the common good," or from any other funds under their charge, to the burgh schools under their management.

The first class (A) are to be administered according to the terms of the trust. The second class (B) for the purpose of promoting higher instruction.

But power is given to school boards from time to time, with the sanction of the Board, to "vary or depart" from the trusts mentioned in the section, with a view to increase the efficiency of the parish or burgh school by raising the standard of education or otherwise. § 46.

Future Bequests.

Power is also given to school boards to receive any property or funds which may in future be bequeathed or conveyed to them for the behoof of any school under their management, and they must administer such property according to the wishes of the donors. § 47.

Treasurer.

A treasurer is to be appointed 1 by each school board either at the first meeting of the board, or as soon thereafter as convenient. His appointment is during pleasure, and he is to receive such remuneration as the school board see fit. Power is given to appoint more than one person to be treasurer. § 48.

Two or more school boards may arrange to employ the same treasurer. § 52.

Duties of Treasurer.

The treasurer is to keep the books of the school board with an accurate account of—

- 1. The school fund.
- All other property and funds under the administration of the school board.
- 3. The expenditure of those funds.

A separate account is to be kept by him of-

- 1. The school fund.
- 2. The fees derived from each school.
- 3. Every property or fund held on a separate trust.
- 4. The fees of the higher class schools. § 48.

Transmission of Accounts to Accountant.

Each year on the 1st of January every treasurer is to transmit to the accountant of the Board, with vouchers, an account showing the money receipts and payments of the school board,

¹ As to appointments, p. xv, notes 1 and 2.

and the state of the funds and property under their charge made up to the Whitsunday of the preceding year. § 48 and 49.

The accountant will audit the accounts and report and retransmit them to the treasurer for preservation. § 48.

Inspection of Accounts.

These accounts may be inspected by any member of the school board, or by any ratepayer on the written requisition of five ratepayers. § 48.

These accounts and the treasurer's books may also be inspected by the Board, and the Board may order any account to be printed at the expense of the school board. § 48.

Transmission of First Accounts by Treasurers.

Every treasurer must transmit his first account to the accountant on or before January 1, 1874, made up to Whitsunday 1873.

Any treasurer who fails to transmit his accounts on the 1st of January of each year may be compelled to do so by the Court of Session on the petition of the accountant. § 49.

Accountant.

The accountant of the Board shall have his office in Edinburgh. § 50.

His duty is to audit the accounts of the different school boards, and to prepare each year an abstract of the receipts and expenditure of each school board.

This abstract together with his report he shall transmit to the Board, to be laid before Parliament. § 51.

Parliamentary Grant.1

The provisions on the subject of the Parliamentary grant are as follows:—

¹ Parliamentary grant is defined as a grant made in aid of a school out of moneys provided by Parliament for the civil service, intituled "for public education in Great Britain."

The subject of Parliamentary grants is taken out of its order in the Act, as it comes properly under the head of Finance.

The Board will submit for the consideration of the Department the conditions under which in their opinion grants should be distributed in Scotland. § 5.

The Department will then draw up and issue a code containing the rates and conditions under which they will sanction the distribution of the public money. § 67.

The statute does not interfere with the construction of the code except in the following particulars.

- 1. It authorises the Department to make annual grants to the managers of all public schools, and to the managers of any existing denominational or non-public school which in the opinion of the Department is efficiently contributing to the secular education of the parish or burgh in which it is situated.
- 2. It authorises the Department to give extra grants—i. e., grants over and above the ordinary Parliamentary grant—in any parish or burgh in which a rate of 3d. in the £1 has been levied and produced less than £20, or than 7/6 per child of the number of children in average attendance at the public schools of such parish or burgh.

The extra grants in such cases to be such as will bring up the amount of 3d. rate to £20, or to 7/6 per child.

E. g. Suppose a parish with a rental of £8000 and a population of 1800.

3d. in £1=£100.

If $\frac{1}{6}$ of the population (as ought to be the case) were in attendance at the public schools=300.

£100 \div 300 = 6/8 per child. In this case the Department would give an extra grant of 10d. per child to make up the 7/6.

Or suppose a parish with a rental of £1200 and a population of 180.

3d. in £1 = £15.

$\frac{1}{8}$ of the population = 30.

- £15 \div 30 = 10/ per child. Nothing here would be required to make up the 7/6. But £5 would be given as extra grant to make up £20.
- 3. It authorises the Department to make special grants in favour of parishes in the counties of Inverness, Argyle, Ross, and Orkney and Shetland, in which a rate of 9d. in the £1 has

been levied. In the rest of Scotland the annual grant to a school will 1 be reduced if it exceed the income of the school derived from local sources—i.e., fees, rates, and subscriptions. E.g., if the school income amounts to £100 and the grant earned to £105, only £100 will be paid to the school managers in respect of that school. But in these five counties this rule will not apply, except in burghs.

- 4. It authorises the Department to make building grants in pursuance of a written application by any school board sent to the Department before the 31st of December 1873.
- 5. It authorises the Department to pay over to the school board of any parish (not burgh) in the counties previously mentioned, a sum of £300 for each schoolhouse, and £100 for each teacher's residence which may be required, provided that a 9d. school rate has been levied in the parish for one year.
- (1.) It forbids the Department to make any annual grant in respect of instruction in religious subjects.
- (2.) It forbids the Department to make any annual grant in respect of any new denominational or non-public school unless the Department after due inquiry are satisfied that such school is specially required in the locality in which it is situated, regard being had to the religious belief of the community using such school. § 67.

The Department must report specially to Parliament upon each school of this character established after the passing of the Act. § 75.

In other respects the construction of the Code is left to the discretion of the Department, care being taken that the standard of education which now exists in the public schools of Scotland shall not be lowered, and that a uniform high standard shall be maintained in all inspected schools. § 67.

The Code must lie on the tables of both Houses of Parliament at least one month before it comes into force, and during that time it may be modified and amended at the instance of any member of either House. § 67.2

¹ Cf. Code, article 32, a (1), p. 107.

² The Scotch Code, and Minutes modifying the same, will be found in the Appendix, p. 97.

V. TEACHERS.

Sections 54-61, 76, 77, 78.

Definition.

Teacher, by the definition, includes schoolmaster, schoolmistress, assistant teacher, pupil-teacher, sewing-mistress, and every person who forms part of the educational staff of a school.¹

Teachers of Parish and Burgh Schools in Office.

Teachers of parish or burgh schools appointed before the 6th of August 1872 will not be prejudiced by any of the provisions of the Act with respect to tenure of office, emoluments or retiring allowance, as by law, contract, or usage secured to or enjoyed by them, except in the following particulars:— § 55.

- 1. If a teacher be found guilty at the instance of his school board of immorality or cruelty, or improper treatment of the scholars under his charge, he may be deprived of his office on the sentence of the sheriff, whose judgment shall be final.²
- 2. If a school board consider a teacher to be incompetent, unfit, or inefficient, they may request the School Inspector, whose duty it is to inspect the school, to report to them specially regarding the school and the teacher. On this report they may dismiss the teacher.

But before judgment they must furnish the teacher with a copy of the report, and the sentence of the school board must be confirmed by the Board.

Teachers of parish schools who may be removed in this way have the same right to retiring allowances as they had under the 19th and 20th sections of the "Parochial and Burgh School-

¹ An objection was taken in Committee to the words "every person who forms part of the educational staff of a school." Mr Forster said that they were borrowed from the definition of teacher in the English Act: that it would be a pity to strike them out of the Bill, because if that were done "instructors in science, drawing, drilling, and a number of other subjects, would be excluded from the definition clause."

³ This provision takes the place of the provisions on the subject contained in 24 and 25 Vict. c. 107, § 14, Appendix, p. 146.

masters (Scotland) Act, 1861," in cases where such teachers were permitted or required to resign, or were dismissed or removed from office under that Act; and the school boards have the same powers of granting allowances as were by that Act vested in the heritors and ministers.² § 60.

Teachers appointed after the passing of the Act.

After the passing of the Act, the right and duty to appoint teachers to all public schools are in the school boards. They may assign them such salaries or emoluments as they think fit. Appointments shall be during the pleasure of the school boards.³ § 55.

In other words, the school boards and the teachers may make any agreement as to salary and tenure of office that they like. But the terms of the agreement may be altered from time to time.⁴

Vacancies between the passing of the Act and the Election of the School Boards.

No vacancy in the office of teacher in any public school occurring after the 6th of August 1872 can be filled up until the election of the school board of the parish or burgh in which the vacancy occurs. If a vacancy should occur, the old managers—

¹ 24 and 25 Vict. c. 107, Appendix, p. 146.

⁹ This provision takes the place of that in the Act of 24 and 25 Vict. c. 107, §§ 19 and 20, which was found to be inoperative.

³ A proposal was made in Committee to alter this provision in such a manner as would interfere with freedom of contract between the school boards and the teachers. But it was not pressed. The Lord Advocate stated that the matter had received the most careful and anxious attention of Government, and it was not considered satisfactory to interfere between the school boards and their teachers. They must hold the school boards responsible for the due discharge of their duties and for the appointment of proper teachers. They must trust them to appoint teachers in whom they have confidence; and it would not be wise or prudent to compel the school board to retain the services of a teacher in whom the school board themselves have not confidence. . . . He fancied they would only be too glad to retain the services of a good teacher when they got him.

⁴ Teachers are *not* precluded by the Act from accepting offices other than those of teacher. Cf. note on p. xvi. as to the inexpediency of appointing teachers to the office of Clerk or Treasurer to a school board Cf. Scotch Code, article 15, b, p. 100.

i.e., the heritors and minister in case of a parish, and the town council in case of a burgh school-must make due provision for the temporary discharge of the duties of the vacant office until it can be filled up under the Act.

Teachers' Houses.

Teachers' houses possessed under any of the recited Acts regarding parochial or Parliamentary schools 1 are to be maintained by the school boards so long as the teachers now in possession remain. After they leave they may be maintained, or they may be sold, or otherwise disposed of by the school boards.2

School boards may or may not provide houses and gardens for future teachers. This becomes a matter of contract between the school boards and the teachers.8

When the school boards determine to provide houses, they may exercise all the powers conferred by the Act with respect to school houses or buildings.4 § 54.

Salaries of Teachers of Parliamentary Schools.

Teachers of Parliamentary schools will continue to receive the sum payable to them under the Act of 1 and 2 Vict. c. 87, so long as they hold their offices.

Certificates of Competency.

The principal teacher in every public school must be the holder of a certificate of competency.

¹ The Acts of 1803, of 1838, of 1861.

² Cf. § 36, p. 22.

³ It was proposed in Committee to make it compulsory upon the school board of every parish to provide a house and garden for every teacher, or for every principal teacher, under their control. In reference to this proposal the Lord Advocate said: "The principle of the Bill on this point is that it might be necessary, or it might be convenient, to provide houses and gardens in such places as the school boards thought suitable; and if they agreed that it was necessary, or short of necessary, convenient, that a certain remuneration be given instead of the house, power was given to do it. . . . Instead of laying down a rigid statutory rule, which might be productive of great inconvenience in particular cases, he thought the matter had better be left to the discretion of school boards."

⁴ Cf. § 87.

But any one who at the passing of the Act is—

- 1. Principal teacher of a parish, side, Parliamentary, or heritors' girls' school;
- 2. Principal teacher of a burgh school, or subordinate teacher of a burgh school if he is member of council of a Scotch university;
- 3. A holder of a certificate from, or registered as a certificated teacher by, the Committee of Council on Edu-

shall be deemed to be a holder of a certificate of competency, and as such he will be eligible as a teacher in a public school.1 **§** 56.

Examination for Certificates of Competency.

To gain a certificate of competency hereafter, candidates must pass an examination. § 58.

The regulations for the conduct of this examination will be issued by the Department, who will also appoint the examiners.2 § 57.

University Degrees.

If a candidate has taken a degree in arts or science in any university of England, Scotland, or Ireland, the examiners may dispense with his examination in any subject comprised in his degree examination.

But he must satisfy the examiners of his skill in the theory and practice of teaching.

Retiring Allowance.

A school board may permit any teacher of a public school to resign on condition of receiving a retiring allowance, and they

candidates to combine university with normal school training. Cf. Code, article 102, p. 115.

¹ Cf. p. 34, note 1.

² The new Code for England provides, that during the three years ending 31st December 1873, certificates of the third or lowest class may be granted, upon the December 1875, certaincates of the third of lowest class may be granted, upon the report of an inspector, to persons above thirty-five years of age, who have been teachers of elementary schools for at least ten years. Since 1st May 1871, 404 certificates of this kind have been granted in England. It is probable that the Scotch Education Department will make temporary provision of a like nature, to meet the case of acting teachers who may be unable the pass the examination required for certificates of a higher class. Cf. Code, article 59, p. 110.

It is probable that arrangements will be made by the Department to enable candidates to combine university with normal school training. Cf. Code, article

may pay his retiring allowance which they grant him out of the school fund.

Rights to such allowances under the existing law possessed by any teacher appointed before the passing of the Act will not be affected.¹ § 61.

Registrar to perform Statutory Duties imposed upon Schoolmasters not relating to Teaching.

The statutory duties not relating to teaching imposed upon the schoolmaster of a parish by the Act of 42 Geo. III. c. 91² (the Militia Act), by 7 Will. IV. and 1 Vict. c. 83,³ by 8 and 9 Vict. c. 33,⁴ and any similar duties imposed by statute upon the schoolmaster of a parish, will be performed by the teacher in office so long as he continues to be teacher in a public school in the parish. After that these duties will be performed by the registrar. § 76.

Schoolmasters' Widows' Fund.

Contributors to the Schoolmasters' Widows' Fund remain liable in the obligations, and are entitled to the benefits under the Act of 9 and 10 Vict. c. 226.

No teacher appointed to a public school hereafter is bound to contribute to the fund, unless he was a contributor at the passing of the Act. § 77.

There is nothing in this Act to interfere with the passing of a new Widows' Fund Act, the provisions of which might include the establishment of a new fund for the behoof of the widows and children of those teachers who may hereafter be appointed under this Act. This would be matter for private legislation.

Special provisions are made for teachers of higher class schools.

- ¹ For retiring allowances under 24 & 25 Vict. c. 107, cf. Appendix, p. 146.
- ² By this Act (42 Geo. III. c. 91) the parish schoolmasters have to order returns to be made in writing to the deputy-lieutenants of all the men between 18 and 45 in the parish; to give notice to heads of houses to produce lists of men of these ages; and at subdivision meetings to verify the lists on oath.
- ⁸ By this Act (7 Will. IV. and 1 Vict. c. 83) parish schoolmasters are made custodiers of certain public documents deposited with them under the standing orders of either House of Parliament—e. g., maps and plans of works to be executed under the authority of statute.
- ⁴ By this Act, The Railway Clauses Consolidation (Scotland) Act, 1845 (8 & 9 Vict. c. 33), parish schoolmasters are to receive and take care of certain certificates or plans of works.

VI. HIGHER CLASS PUBLIC SCHOOLS.

Sections 62, 63, 64.

What Higher Class Schools are.

Higher class public schools are declared to be burgh schools existing at the passing of the Act, in which the education given does not consist chiefly of elementary instruction in reading, writing, and arithmetic, but of instruction in Latin, Greek, modern languages, mathematics, natural science, and generally in the higher branches of knowledge.

Provisions regarding them.

The provisions regarding these schools are as follows:—

Management.

- 1. They are to be managed exclusively by the school boards of their respective burghs, with a view to promote the higher education of the country. § 62, sub-sec. 1.
- 2. In order that the funds of these schools and the time of the teachers may be chiefly applied to giving instruction in the higher branches, the school boards who manage them are (so far as practicable and expedient, and subject to the approval of the Board) to relieve them of the necessity of giving elementary instruction to young children, by providing a sufficient number of elementary schools elsewhere in the burgh. § 62, sub-sec. 4.

Funds.

- 3. The funds of these schools consist of—
 - (1.) Contributions from "the common good" of the burghs.
 - (2.) Any endowments belonging to the schools.
 - (3.) Endowments for the promotion of instruction in

particular subjects, or for the benefit of teachers of particular branches in the schools.

(4.) Fees paid by scholars.

These funds do not go into the school fund. In each case they are to be administered exclusively for the benefit of the school to which they belong.

The fees are to be fixed by the teachers with the approval of the school board, subject, in the event of a difference of opinion, to the determination of the Board; and the treasurer of the school board must keep a separate account of the fees, and the full amount of the fees shall be divided and distributed among the teachers as the school board shall determine. Sub-sec. 3.

The expenses of examining the schools shall be paid out of the school fund. § 62, sub-sec. 6.

The houses shall be deemed schoolhouses within the meaning of the 45th section of the Act. So that the school board may borrow money on the security of the school fund and school rate for the purpose of providing or enlarging their higher class schools. § 62, sub-sec. 6.

Teacher.

4. The teachers of these schools are not to be examined, like those of the elementary schools, through the agency of the Department.

The school boards of the different burghs in which they are situated will regulate the examinations, and fix the standard of qualification for the teachers. The examiners are to be professors in some Scotch university, or teachers of distinction in a higher class public school. § 62, sub-sec. 2.

Any teacher in one of these schools, who is a member of council of a Scotch university, is to be deemed qualified as a teacher in any of these schools. § 62, sub-sec. 2.

Examinations.

Each of these schools must be examined annually by examiners appointed by the school board.¹

¹ Cf. note 4, p. 40, on expediency of school boards combining for the purpose of instituting general competitive examinations between the higher class schools under their management.

The expenses of these examinations may be paid out of the school fund. § 62, sub-sec. 6.

The Board may require from time to time a statement of the funds and revenues of any of these schools, and of the application of them. § 62, sub-sec. 3.

Higher Class Schools fixed by Act.

T	he eleven schools	followin	g, viz	. :		
	New Grammar	School,			•	Aberdeen.
	Academy, .					Ayr.
	Academy, .	•	•			Dumfries.
	High School,	•			•	Edinburgh.
	Academy, .	•	•			Elgin.
	High School,	•	•			Glasgow.
	Burgh School,	•	•	•	•	Haddington.
	Academy, .	•		•	•	Montrose.
	Grammar Scho	ol and	Acade	my,	•	Paisley.
	Academy, .	•	•		•	Perth.
	High School,		•		•	Stirling.
are	constituted highe	er class	publi	ic sch	ools,	to be dealt with
	11		:	1		

according to the foregoing provisions.

New Higher Class Schools in Burghs.

The school board of any burgh, by a resolution at a meeting specially called on fourteen days' notice in writing to each member, may (subject to the approval of the Board) resolve that any school under their charge shall be deemed a higher class school.

Such school will thereafter be managed according to the provisions regarding higher class public schools. § 62.

New Higher Class Schools in Parishes.

The school board of any parish may come to a similar resolu-

¹ These eleven schools are selected as being situated in the principal towns in Scotland. Dundee High School, Inverness Academy, Greenock Academy, and the Madras College, St Andrews, were included in the Bill as introduced. But they were omitted in passing through the House of Commons on the motions of the representatives of these towns.

tion under the same conditions, with regard to any parish school under their management existing at the passing of the Act, in which, from large endowment, or any other cause, the higher branches are taught to such an extent that the school cannot reasonably be considered as chiefly an elementary school. § 63.

After a school board have passed a resolution to convert a school into a higher class school, they will cease to receive Parliamentary grant in respect of it.

No part of the funds or revenues of a higher class public school will pass into the school fund.

No part of the expenses of a higher class public school can be paid out of the school fund:—

Except, 1. Expenses of examination of the school.

2. Expenses of school buildings, which may be met by borrowing money on security of the school fund and school rate. § 64.

These provisions, though expressing the feeling of the Legislature with regard to higher education rather than forming a complete code of law regarding it, are nevertheless of great importance. They are, in a sense, experimental. No provisions regarding higher education were made in the English Act. The Education Department, through the Vice-President of the Council on Education, repudiated all responsibility with regard to higher education. But if the experiment answers, these provisions can be supplemented at a future time. By means of these a graded system of education is recognised. The school boards, under whose management these schools are placed, are enjoined by the statute "to manage them with a view to promote the higher education of the country," and "to relieve the schools from

1 "Hitherto the Education Department had confined itself to fixing the standard for elementary schools, but if this amendment [an amendment to give the Department the control of the examination of principal teachers of higher class schools] were adopted, it would mean that they should be responsible for the standard of higher education. He was not, however, prepared to go to that extent, though he did not say a time might not come when they might consider it advisable to do so, not only in Scotland, but in England also."—Mr W. E. Forster, in Committee, June 13.

the necessity of giving elementary instruction in reading, writing, and arithmetic to young children, by otherwise providing sufficient public school accommodation for such elementary instruction, so that the funds and revenues of such higher class schools, and the time of the teachers, may be more exclusively applied to giving instruction in the higher branches." Two of the evils of Scotch education — want of any line of demarcation between the higher and the elementary schools, and want of organisation in the higher schools themselves—are thus fairly met, and the first steps towards a remedy are adopted.

The chief difficulty, however, with which higher education in Scotland has to contend—want of money—is untouched by these provisions. "It is not in accordance with the views of this House," the Lord Advocate said on introducing the Bill, "to give imperial money, or to authorise local taxation in order to provide for higher class education, and therefore I can only provide for the higher class education otherwise than pecuniarily."

The question therefore remains, From what source are these schools to be supplied with money?

Under the Act, all that they have now is retained to them. And power is given to enlarge or rebuild them, and to pay for the examination of their scholars, at the public expense of the burgh in which they are situated. But they are still inadequately endowed.

Now, however, that they have a recognised position in the educational system of the country, there is some probability that they will be selected as objects of private generosity. Individuals have of late years gifted or bequeathed large sums of money to the Scotch universities. An association for the better endowment of the universities have met with considerable success. Similar agencies may be put in force in the interests of the higher class schools.

When from any source, public, semi-public, or private, funds are secured for the use of these schools, the importance of the provisions in the Act (whether supplemented by future legislation or not) will be acknowledged.

VII. MISCELLANEOUS PROVISIONS.

Sections 65-80.

Inspection.

Every public school, and every school in receipt of Parliamentary grant, must be open at all times to any of H.M. Inspectors.¹ But the inspectors are not required to examine in religious knowledge, or in any religious book. § 66.

By this section and the definition of "H.M. Inspectors"² two changes are accomplished.

- 1. Denominational inspection is abolished: Scotland will be divided into districts, and every inspector will visit all the schools in the district assigned to him.
- 2. Inspected schools will be open at all times to the inspectors. It will be no longer necessary to give notice of the time of the inspector's visit, unless it is otherwise provided in the code. And for the future no teacher can refuse to admit an inspector into his school.

School boards may require an inspector to make special reports on any school under their management which is taught by a teacher appointed before the passing of the Act. § 60, subsec. 2.

Conscience Clause.

Every public school, and every school subject to inspection or in receipt of public money under this Act, is open to children of all denominations. Any child may be withdrawn by his parents from any instruction in religious subjects and from any religious observance in the school, without suffering any

¹ A list of H.M. Inspectors, with the districts assigned to them, will be found in the Appendix, p. 178.

³ "Her Majesty's Inspectors" shall mean the inspectors of schools appointed by Her Majesty on the recommendation of the Scotch Education Department; and "subject to inspection" shall mean subject to be inspected by the said inspectors, or any of them.

disadvantage on this account with respect to secular instruction. § 68.

Time-Table.

A time-table approved of by the Department will be prepared for each school, specifying the times at which instruction in religious subjects is given, and any religious observance practised in the school.² § 68.

The only times at which such instruction can be given or such observance practised are at the beginning or at the end, or both at the beginning and at the end, of each meeting of the school for elementary instruction. § 68.

E.g., A school meets for elementary instruction at 10, and separates at 1; and meets again at 2, and separates at 4.

In this case the Bible lesson and Catechism can be given, and a hymn can be sung or prayers said at 10 or at 2, or both at 10 and at 2, and also at 1 or at 4, or both at 1 and at 4. There may thus be four distinct times for religious instruction each day. But the time or times must be fixed in the time-table, and children may or may not attend at these times without being placed at any disadvantage with respect to the secular teaching.

Latin, Greek, and the higher subjects may be taught before 10 or between 1 and 2, or after 4, as has been the custom in

¹ The child is to be withdrawn from the instruction, &c., not necessarily from the school. Cf. p. 44, note 3.

A regulation of the Education Department on this matter is to the effect that, if the premises admit of it, the children withdrawn are to receive instruction in secular subjects during the time or times set apart for religious instruction or observances.

In England, also, the time-table of every public elementary school must be approved of by the Education Department. The following instructions have been issued by the Department with reference to the subject:—"That the inspector may approve any time-table which, while conforming to Section 7 of the Education Act, in respect of the time or times appointed for religious observances or instruction, sets apart for instruction in secular subjects at least two consecutive hours at each morning and afternoon meeting, and one hour and a half at each evening meeting of the school." "That the inspector shall not express any opinion as to the time or times appointed for religious observances or instruction, or as to the nature of such instruction, but shall confine himself to seeing that the prescribed amount of time is secured for secular instruction." Cf. minute of Scotch Education Department as to approval of Time Tables, p. 127.

many schools, if these subjects are not taught during the regular school hours.

Compulsory Clauses: - Parents bound to educate their Children.

Every parent is bound to teach his children between the ages of five and thirteen, reading, writing, and arithmetic.

If he fails to do so without a reasonable excuse, he breaks the law. § £9.

Poverty no excuse.

Poverty is no excuse. If he is a poor man and unable to pay school fees, he must apply to the parochial board of his parish or burgh, and they (having satisfied themselves of his inability) will pay the fees or part of them for him out of the poor fund.

The reasonable wishes of the parent in selecting the school at which he desires his children to attend will be respected. But the school must be either a public school, or a school in receipt of Parliamentary grant and under inspection. § 69.

Blind Children to be educated.

The provisions of this section apply to blind children. § 69.

Defaulting Parents.

Defaulting parents will be dealt with as follows:-

Every school board must appoint an officer to ascertain and report what parents in their parish or burgh neglect to educate their children.

The clerk of the school board will keep a correct list of the defaulting parents and their children reported on.

The school board may, when and if they like, summon any of the defaulters before them to explain the cause of his neglect.

If he fail to appear, or, having appeared, to satisfy the school board, the latter are bound to certify in writing that he has been and is grossly and without reasonable excuse ¹ failing to discharge his duty towards his children.

On such certificate being sent to the Procurator-Fiscal of the district in which the parent resides, or to some other person appointed by the school board, he is bound to prosecute such parent before the sheriff. On conviction, the parent is liable to a fine of £1, or to fourteen days' imprisonment. He may also be found liable in expenses up to £1.

If he continue to break the statute in this respect, he may be proceeded against at intervals of three months. § 70.

The expenses of the prosecution, in so far as not awarded against and recovered from the parent, are to be paid out of the school fund. § 71.

Employers of Children shall be deemed to undertake the duty of Parents.

Any one who employs as a domestic or farm servant, or in a mine, factory, or workshop, or ordinary shop, a child under thirteen years of age who has not attended school regularly for at least three years, and who is unable to read and write, shall be deemed to undertake the duty of a parent with respect to the education of such child if he continue him in his employment after notice from the school board of his parish or burgh that the child has not received an elementary education.

And he shall be liable to the same penalties for neglect as a parent.

But the parent is not on this account exempted from liability. § 72.

Exemptions.

A certificate of ability to read and write, and of a knowledge of elementary arithmetic, granted by one of H.M. Inspectors in favour of any child, exempts parents and employers of the child from prosecution, or from any proceeding under the Act, for neglecting to provide for his education. § 73.

¹ Distance from a school—say three miles—would probably be held to be a reasonable excuse.

Reports.

School boards must report to the Board and make such returns and give such information as the Board may require. 8 74.

The Board must submit every year a report of their proceedings during the past year to the Department, to be laid before Parliament. § 6.

The Department will cause every year a report of their proceedings during the past year to be laid before Parliament. And their report must contain a special report upon every non-public school established after the passing of the Act which they consider entitled to receive Parliamentary grant. § 75.

Evidence of orders, &c., of the Department.

All orders, minutes, certificates, and other documents of the Department, if purporting to be signed by a secretary or assistant-secretary of the Department, or by any officer in Scotland acting as secretary or assistant-secretary of the Department, will be deemed to have been made by the Department. § 65.

The Milne Bequest.

The powers of the trustees under the Milne Bequest are preserved. \$ 79.

Repeal of Acts.

The recited Acts, viz.:-

- 1. The Act of 1696.2 The first Parliament of King William.
- 2. The Act of 1803.3 43 Geo. III. c. 54.

¹ Cf. p. xviii, note 2, as to Dick Bequest.

³ By this Act (1696) it was ordained that a school should be established and a schoolmaster appointed in every parish not already provided, by the advice of the heritors and the minister of the parish.

Under it the heritors were bound to provide a commodious schoolhouse and a salary not above 200 (£11, 2s. 2¾d.) nor under 100 merks (£5, 11s. 1¾d.). Each heritor was to be assessed in proportion to his valued rent, and was allowed relief from his tenants to one-half.

By this Act (1808) the heritors in each parish were bound to provide school accommodation and maintain the buildings. Provision was also made for the erection of side schools in extensive parishes. Schoolmasters were to be elected by the heritors and minister as one body, but, by § 22, no heritor was entitled to vote at any meeting with reference to schools who was not "a proprietor of lands

- 3. The Act of 1861. 24 & 25 Vict. c. 107—
 are repealed, and all other Acts, so far as inconsistent
 with the provisions of this Act, under the following
 provisos—
- (1.) That the assessments levied under the recited Acts shall continue to be levied for the year immediately ensuing the passing of this Act, in the same way and to the same extent as in the preceding year.

The proceeds of these assessments are to be expended according to the law as it existed before the passing of the Act, by the authorities charged with the administration thereof, until school boards are elected. Whereupon any surplus which remains will be handed over to the school board.

- (2.) That no vacancy occurring in the office of teacher of a parish or burgh school shall be filled up except under the provisions of this Act, and if a vacancy should occur in a parish or burgh between the passing of the Act (6th of August 1872) and the election of the school board, the managers must make provision for the temporary discharge of the duties of the office until it can be filled up.
- (3.) That the existing teachers of Parliamentary schools established under the Act of 1838,2 shall continue to receive

within the parish to the extent of at least £100 Scots of valued rent appearing in the land-tax books of the county," and these qualified heritors might vote by proxy, or by letter under their hand. The schoolmasters elect were examined and approved by the Presbyteries, and were required to sign the Confession of Faith, and the formula of the Church of Scotland. Their salaries ranged between a maximum of 400 (£22, 4s. 3d.) and a minimum of 300 merks (£16, 13s. 4d.) They held office ad vitam aut culpam. The superintendence of the schools was committed to the ministers of the Established Church; the regulations as to teaching and the cognisance of offences committed by the schoolmaster, to the Presbyteries of the bounds.

¹ By this Act (1861) the provisions of the Act of 1803, regarding the examination of teachers by the Presbyteries were abolished, and an examination by examiners appointed by the universities substituted. Tests also were abolished. Instead of signing the Confession of Faith, and formula of the Church, the teacher was required to sign a declaration that he would not teach any opinions opposed to the Bible or the Shorter Catechism, nor exercise the functions of his office to the prejudice of the Church of Scotland. The law regarding the dismissal and resignation of teachers was altered, and provision was made for granting retiring allowances. The management and superintendence of the parochial schools were not expressly taken out of the hands of the minister and Presbyteries of the Established Church, and these schools continued to be examined by the Presbyteries till the passing of the Act of 1872.

Presbyteries till the passing of the Act of 1872.

This Act (1838), on the preamble that the parish schools and other means of education existing in the Highlands and Islands were wholly inadequate to the

the salaries payable to them as heretofore, so long as they hold office in their present schools. And that the sum payable to any such teacher shall, after he leaves the school, be paid over to the school board of the parish for purposes of the school

SUMMARY OF THE PRINCIPAL PROVISIONS REGARDING SCHOOL BOARDS.

Establishment.

Within twelve months after passing of Act-i.e., before August 6, 1873—a school board shall be established in every parish and burgh.

§ 8

Rules and Directions for conduct of Elections.

The Board shall frame and publish in the 'Edinburgh Gazette' the rules for the conduct of first elections, within six months of passing of Act.1 § 12, sub-sec. 5

Constitution.

- 1. Number of Members. Five to fifteen, as may be determined by the Board.2 § 12, sub-sec. 1
- 2. Candidates. No qualification necessary. But teachers of public or State-aided schools not eligible.

education of the people, provided that a sum of money should be appropriated and invested by the Lords of the Treasury for the endowment of additional schools in certain parishes in the Highlands and Islands. These schools were generally called Parliamentary schools. The heritors provided the building, and with the minister of the parish appointed the teachers. The Treasury paid the salaries out of the annual proceeds of the money appropriated, which amounted to about £800 a-year. The teachers were subject to the same legal provisions and enjoyed the same privileges as parochial teachers. By the Highland Schools Act, 1873 (which will be found in the Appendix, p. 130), this Act of 1838 is entirely repealed, and provision is made to cancel the existing investments under it, and charge the annual sums payable to the teachers under the Act upon the Consolidated Fund. The proviso in § 78 of the Education Act referring to these schools is also repealed, and provision is made to enable the Treasury to pay over half yearly to the School Boards to pay to existing teachers, so long as they remain in office, the sums payable to them. sums payable to them.

These four Acts will be found in the Appendix, p. 134.

1 Issued January 21, 1873. Cf. Appendix, p. 155.

2 Cf. p. x, note 1. Cf. Appendix, p. 164, scale of Board regulating number of members of school boards.

SUMMARY OF PROVISIONS REGARDING SCHOOL BOARDS. xlix

Constitution—continued.

- 3. Electors. Owners and occupiers of lands, &c., of £4 and upwards annual value, entered in latest valuation roll. § 12, sub-sec. 2
- 4. Voting. Cumulative vote.

§ 12

- 5. Election. Majority of votes—in case of equality, returning officer to determine: any dispute to be settled by Sheriff summarily. § 14
- 6. Notice of Election. To be sent to person elected by returning officer; also time and place of first meeting, not later than fourteen days after election. § 16
- 7. Invalid Elections. If quorum exist—i.e., if three members duly elected—school board shall appoint in place of those declared invalid. If no quorum, or if school board fail for three weeks to appoint, Board may order new election of as many members as may be necessary.
- 8. Vacancies. To be filled up by school board nominating a person to supply vacancy. § 13

Duties and Powers.

Appoint chairman.
 Appoint other officers.

§ 21

- **§§** 48, 52
- Supersede heritors and minister in all powers, obligations, and duties, vested in or incumbent on them in regard to parish schools.
- 3. Supersede town councils in all powers and duties vested in them in regard to burgh schools. § 24

Duties of School Board—continued.

4.	Supply any deficiency of public school accommoda-		
	tion in any parish or burgh; become vested in all		
	public schools, whether existing at passing of Act		
	or subsequently established.	§ 2 6	3

- Form school districts, with consent of sheriff of county.
 § 17
- 6. Ascertain educational requirements of parish and burgh, and extent and quality of existing provisions. § 27

 Determine extent and manner of providing additional accommodation. § 27

 Report determination to Board, within nine months of election of school board. § 27
- 7. Carry out direction of Board as to additional accommodation. § 28
- 8. If in default, carry out directions of Board, and pay expense of inquiry at instance of Board. § 29
- 9. In determining as to accommodation, take into account every school, whether public or not, and whether or not situated in their parish or burgh, which is available for children in their parish or burgh, and which gives, or when completed will give, efficient education: power to call upon managers, &c., for documents, &c., and to inspect schools and scholars. § 30
- 10. Maintain and keep efficient every school under their management, and provide such additional school accommodation as they shall judge necessary. § 36 Discontinue or change site of any school under their

Duties of School Board-continued.

management; sell and dispose of any land or building connected with a discontinued school, with sanction of Board.

May be compelled by Board to maintain and keep efficient schools under their management. § 36

11. Acquire by purchase or otherwise sites for schools, &c., and have schools erected.

Purchase or lease existing schools, not being denominational or subscription.¹

Improve, enlarge, and furnish any schools under their management. § 37

- 12. Accept of transference of existing denominational or subscription schools, with consent of Board. § 38
- 13. Establish infant and evening schools. § 40
- 14. Establish industrial schools, with consent of Board. § 41
- 15. Combine for any purpose under the Act, with sanction of Board. § 42
- 16. Establish school funds. § 43

17. Impose rates.

- (1.) In ordinary cases certify to parochial board of parish or burgh annually (before 12th June) amount of deficiency in school fund to be supplied by "school rate," and receive amount from parochial board.
- (2.) Where school district includes two or more parishes with separate parochial boards, certify to each parochial board in the district the amount on each £1 rental which they (the parochial board) shall collect as school rate. § 44

¹ Denominational or subscription. The words of the clause (§ 38) are referred to, p. 23.

Duties of School Board—continued.

(3.) Where no legal assessment for relief of poor,		
levy and collect directly school rate in same		
manner as if it were poor's rate.	§	44
18. Borrow for school buildings, on security of school fund and rate, with consent of Board.		45
19. Receive and administer income of property, &c., vested in heritors and kirk-sessions, or others, for promotion of education, according to the trusts.		16
May depart from trusts, with consent of Board. Receive each Martinmas town council's subscription from common good for burgh school, and adminis-		46
ter it for purpose of promoting higher instruction.	§	46
20. Receive bequests for education, and administer them according to wishes of donors.		47
21. Appoint treasurer.	-	48
Preserve annual accounts of treasurer.	9	48
22. Appoint clerks and other officers. Two or more school boards may appoint the same	U	52
treasurer or other officer.		52
23. Fix the fees to be paid in schools.	§	53
24 Provide teachers' houses (discretionary).	§	54
25. Appoint teachers, during pleasure.	§	55
26. Cause teachers appointed before passing of Act to be removed.		60
(1.) By sheriff on charge of cruelty or immorality	,	
or improper treatment of scholars. (2.) On report of H.M. Inspector in cases of in-		60
competency, unfitness, or inefficiency, if their judgment is confirmed by Board.		60

SUMMARY OF PROVISIONS REGARDING BOARD OF EDUCATION. liii

Duties of School Board—continued.	Duties	of	School	Board-	-continued
-----------------------------------	--------	----	---------------	--------	------------

27.	Permit teacher to resign on condition of receiving retiring allowance.	-	61
28.	Manage higher class schools with a view to promote the higher education of the country. General provisions as to higher class schools.	§	62 62
2 9.	Apply to Department for building grants.	§	67
30.	Appoint officer to report on parents who neglect to educate their children. Keep list of defaulters; summon and examine defaulters; if no reasonable excuse, certify to procurator-fiscal of district; pay expenses out of	§	70 70 70
31.	Report to Board.	§	74
32.	Receive money payable to Parliamentary school-	•	78 78
3 3.	Take steps necessary, or as directed by Department, for election of their successors.	§	13

SUMMARY OF THE PRINCIPAL PROVISIONS REGARDING THE BOARD OF EDUCATION.

Definition.

"The Board of Education" shall mean the Board of Education for Scotland, established by this Act. § 1

Board of Education-continued.

Object.

Greater efficiency and convenience in the institution and organisation of schools and school boards.

§ 3

Duration.

Three years from the passing of the Act, with power to Her Majesty, by order in Council, to extend for two years more.

§ 3

Constitution.

Five members and secretary, appointed by the Queen, one to be chairman, two to be a quorum. § 3, sub-sec. 1

Province.

The Board and members responsible to the Scotch Education Department. § 3, sub-sec. 6

Duties and Powers.

 Submit for consideration of Department the conditions according to which, in their opinion, Parliamentary grants may be most advantageously distributed in Scotland.

§ 5

2. Keep minutes of proceedings, and submit report to the Department to be laid before Parliament.

§ 6

3. Settle disputes a to area of school districts; or—
Authorise school board to apply to sheriff of the
county to settle such disputes.

§ 9

4. Order burgh with population under 3000 to be dealt with as part of the parish in which it or the greater part thereof is situated.¹

Within Six Months of the passing of the Act-Order.

¹ For list of small burghs united to parishes, cf. Appendix, p. 164.

SUMMARY OF PROVISIONS REGARDING BOARD OF EDUCATION. 1

Duties and Powers of Board-continued.

- Determine number of members of school boards.
 § 12, sub-sec. 1
- Frame and issue rules and directions for conduct of first elections of school boards, and publish them in the 'Edinburgh Gazette.' § 12, sub-sec. 5

Within Six Months of passing of Act.1

- 7. On failure of heritors and minister, or of town council, to take preliminary steps for first elections, require sheriff of county to do so. § 12, sub-sec. 3 & 4 Within Three Months of the publication of Rules for First Elections.
- 8. Order new election of members in place of those declared to be invalid if no quorum in school board; or if school board do not appoint within three weeks after declaration of invalidity.

 § 15
 - -----
- 9. Order small parish to be united to an adjacent one. § 17 Order.
- Order election of school board in a burgh for which
 a school board had not previously been elected. § 18
 After Three Years from passing of Act—Order.
- Order discontinuance of burgh school board, and the inclusion of burgh in the area of parish.

After Three Years from passing of Act-Order.

¹ Issued on January 21, 1873, cf. Appendix, p. 155.

Duties and Powers of Board-continued.

 Nominate school board after expiration of twelve months, if no school board elected. After Twelve Months from passing of Act. 		20
13. Receive report from school boards as to school accommodation.	_	28
 14. Approve determination of school board with or without qualification. Or direct further report. Or direct inquiry. Or direct additional accommodation to be provided, although not determined on by school board. 	8	28 28 28
15. Send requisition to defaulting school board; and on continued default, or unsatisfactory report, cause inquiry; and give directions as to additional ac- commodation, and recover expenses against default- ing board.		29
16. In determining as to accommodation, take into account every school in parish or burgh; call on managers, &c., for documents and information; inspect schools and scholars.	_	30
17. Require returns from time to time from school boards with a view to making an educational census.		31
18. Supply forms for returns.	§	32
 On failure of school board to supply returns, appoint inspectors and recover expenses from defaulting school board. 		33
20. Appoint inspectors of returns.	8	34
21. Sanction change of site or discontinuance of public school in any parish or burgh.	_	36

SUMMARY OF PROVISIONS REGARDING BOARD OF EDUCATION. lyii

Duties and Powers of Board-continued.

TOTAL	and fowers of board—continued.		
	Compel school boards to maintain and keep efficient schools founded by them.		36
22 .	Sanction transference of denominational and subscription schools.		38
23 .	Sanction establishment of industrial schools.	§	41
24.	Sanction combination of school boards.	§	42
25 .	Give consent to school boards to borrow money.	§	45
26.	Give consent to school boards to depart from trusts administered by them under § 46.		46
27,	Inspect accounts of school boards; order accounts to be printed at expense of school boards.		48
28.	Appoint accountant.	§	50
2 9.	Receive abstract of receipts and expenditure of each school board, and transmit to Department to be laid before Parliament.	;	51
3 0.	Confirm judgment of school board as to dismissal of teachers in public schools appointed before Act.		60
31.	Require from school boards a statement of the funds and revenues of higher class public schools, and application of the same. § 62, sub-s		. 3
	Approve of school boards draining elementary instruction out of higher class schools. § 62, sub-s		. 4
	Determine disputes as to fees to be paid in higher class schools. § 62, sub-s		. 5
	Approve school board's determination to increase number of higher class schools. §§ 62		63

SUMMARY OF THE PRINCIPAL PROVISIONS REGARDING THE SCOTCH EDUCATION DEPARTMENT.

Definition.

"Scotch Education Department" shall mean the Lords of any Committee of the Privy Council appointed by Her Majesty on Education in Scotland. § 1

Duties and Powers.

- 1. Appoint day (failing third Friday in October) for first meeting of the Board; and fix place of meeting.
- 2. Determine from time to time the rates and conditions according to which Parliamentary grants may be given:

Frame and issue the minutes containing the rates and conditions. **§§** 5 & 67

3. Appoint time for election of school boards subsequent to the first, having regard to the circumstances of the localities. § 13

General Order.

4. In default of election of school board subsequent to the first taking place, order an election. Or allow existing school board to continue in office:

Or nominate a school board.

Order.

Receive and lay before Parliament abstract of receipts and expenditure of each school board. § 51

Duties	and	Powers	of	Department-continued.
--------	-----	--------	----	-----------------------

- 6. Make regulations as to examinations of candidates for certificates of competency. § 57
- 7. Grant certificates of competency.

§ 58

- 8. Frame and issue the minutes containing the rates and conditions of distribution of Parliamentary grant. § 67
- 9. Inquire as to new denominational schools.

§ 67

10. Regulate building grants.

§ 67

- 11. Approve of time-tables in public and State-aided schools. § 68
- 12. Report to Parliament.

§ 75

N.B.—After three years (or five, if the term of the Board's endurance should be extended), all the powers and duties of the Board devolve upon the Department. § 3, sub-sec. 6

SUMMARY OF THE PRINCIPAL DUTIES OF THE BOARD, DEPARTMENT, AND SCHOOL BOARDS, IN ORDER OF TIME.

1872.

Regulations for the examination of candidates for) Immediately after certificates of competency to be made by the the passing of the Department.

First meeting of Board of Education.

October 18th, § 4.

1873.

1873.

Order of Board for union of small burghs with) By February 6, their parishes.1

Rules of Board for first election of school boards.² { Sy February 6, § 12, sub-sec. 5.

Order, cf. Appendix, p. 164.
 Issued January 21, 1873, cf. Appendix, p. 155.

	.0.2.
1873. Board require sheriff of county to take preliminary steps for conduct of first elections on failure of old managers of parish and burgh schools to do so.	publication of rules, 1
School boards must be elected in every district. If any failure Board nominates.	By August 6th, § 20.
Estimates of deficiency in school fund to be sent to parochial boards.	By June 12th, § 44.
Town councils of each burgh pay over to school board annual contribution from common fund.	
Application for building grant transmitted to Department.	By December 31st, § 67.
1874. Reports on state of education in each district to be transmitted to Board. ²	Within 9 months of election of school boards. In no case later than May 6, 1874, § 27.
Treasurers of school boards transmit first accounts to accountant of Board.	1874. January 1st, § 49.
1875. Board to order election of school board in a burgh for which a school board had not previously been elected.	1875. Not before August 6, 1875, § 18.
	Not before August 6, 1875, § 19.
Termination of endurance of Board's term of office, unless extended by Order in Council.	August 6th, § 3.

board subsequent to the first.

Department to appoint time for election of school Three years after first election of

school board, § 13.

¹ Issued January 21, 1873, cf. Appendix, p. 155.

² This duty will be in many cases discharged before the end of 1873. But in other cases it will not be discharged till 1874. Reports from every school board must be transmitted before the 6th of May 1874.

THE EDUCATION (SCOTLAND) ACT.

1872.

35 & 36 VICTORIA, CHAPTER 62.

An Act to amend and extend the provisions of the Law of Scotland on the subject of Education.—

[6th August 1872.]

WHEREAS an Act was passed by the Parliament of Scotland, in the First Parliament of King William, in the year one thousand six hundred and ninety-six, intituled Act of "Act for settling of Schools:"

And whereas another Act was passed in the session of the forty-third year of the reign of His Majesty King George the 43 G. 3. c. Third, chapter fifty-four, intituled "An Act for making better 54. "provision for the Parochial Schoolmasters, and for making "further regulations for the better government of the Parish "Schools, in Scotland;" and another Act was passed in the session of the first and second years of the reign of Her present Majesty, chapter eighty-seven, intituled "An Act to 1 & 2 Vict. "facilitate the foundation and endowment of additional c. 87. "Schools in Scotland;" and another Act was passed in the session of the twenty-fourth and twenty-fifth years of the 24 & 25 reign of Her present Majesty, chapter one hundred and seven, Vict. c. 107. intituled "The Parochial and Burgh Schoolmasters (Scotland) "Act, 1861:"

And whereas it is desirable to amend and extend the provisions of the law of Scotland on the subject of education, in such manner that the means of procuring efficient education for their children may be furnished and made available to the whole people of Scotland:

And whereas it has been the custom in the public schools of Scotland to give instruction in religion to children whose

A.D. 1872 parents did not object to the instruction so given, but with liberty to parents, without forfeiting any of the other advantages of the schools, to elect that their children should not receive such instruction, and it is expedient that the managers of public schools shall be at liberty to continue the said

> Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

³ Act of 1838. 3 Act of 1861. ⁴ Cf. Conscience Clause, § 68, note 3, p. 44.

Interpretation of Act: "Parish:"

1. In this Act the following words and terms shall have the meanings hereby assigned to them, viz.:

"Parish" shall mean any parish which does not wholly consist of a burgh or part of a burgh within the meaning of this Act, and shall include any school district 2 formed under this Act:

"Burgh:"

"Burgh" shall mean any royal burgh, and any burgh or town returning or contributing as a burgh to return a, member to Parliament, and shall include every town, whether a burgh or not, specified in the schedule of towns appended to this Act:8

"Scotch Education Department" shall mean the Lords of any Committee of the Privy Council appointed by Her Majesty on Education in Scotland: 4

"The Board of Education" shall mean the Board of Education for Scotland established by this Act:5

"Her Majesty's inspectors" shall mean the inspectors of schools appointed by Her Majesty on the recommendation of the Scotch Education Department; and "subject to inspection" shall mean subject to be inspected by the said inspectors, or any of them:7

"Parliamentary grant" shall mean a grant made in aid of a school out of moneys provided by Parliament for the civil service, intituled "for public education in " Great Britain:"8

"Parent" shall include guardian and any person who is liable to maintain or has the actual custody of any child:9

" Parish school" shall include any school established under the recited Acts, 10 or any of them, and any school established under this Act by the school board of a parish, or which is by this Act vested in and placed under the management of the school board of a parish:

"Scotch Education Department:" " The Board of Education:"

" Her Majesty's inspectors:"

" Parliamentary grant:"

' Parent:"

" Parish school:" "Burgh school" shall include any school to which that A.D. 1872 term is now legally applicable, although it may be called an academy, or a high school, or a grammar "Burgh school, or any other name, and any school established in a burgh by the school board thereof, or which is by this Act vested in and placed under the management of the school board of a burgh:

"Public school" shall mean any parish or burgh school or "Public any school under the management of a school board school:

established under this Act: 11

"Teacher" shall include schoolmaster, schoolmistress, as- "Teachsistant teacher, pupil teacher, sewing mistress, and er." every person who forms part of the educational staff of a school.

¹ The area of parish shall, for the purposes of this Act, be exclusive of the area of any burgh, or part of a burgh, situated therein, for which a school board is required to be elected. § 9.

² School districts are formed by two or more school boards of adjacent parishes detaching portions from their parishes, and uniting them

into districts. § 17.

3 The area of a burgh shall be taken to be the limits within which the municipal, or where there are no municipal, then within which the police, assessments thereof are levied. § 9.

Burghs with a population under 3000 may be united to parishes.

§ 11. Cf. p. 164.

Communications should be addressed to "The Secretary, Scotch Education Department, Whitehall, London, S.W."

⁵ Communications should be addressed to "The Secretary, Board of

Education, 32 Queen Street, Edinburgh."

⁶ Inspectors are nominated by the Lord President of the Council. A list of H.M. Inspectors, with the districts assigned to them, will be found in the Appendix, p. 178.

7 Denominational inspection ceases at the passing of this Act. Cf.

⁸ Cf. § 67, note. Building grant is included in this definition.

⁹ This definition includes father and mother, and failing them the ascendants on the father's side would be included, and failing them the ascendants on the mother's side.

10 By this definition, parish, side, Parliamentary, and heritors' girls' schools are included. Cf. Summary, p. xvii.
11 "Public elementary school" in England, means a school in receipt of Parliamentary grant, whether provided by and under the management of school board or not.

"Public school" in Scotland, means only a school board school. Denominational schools may receive Parliamentary grants in Scotland; but they are not considered to be public schools.

2. The salaries of the officers and servants of the Scotch Expenses Education Department shall be fixed with the consent of the of Scotch Lords of Her Majesty's Treasury, and shall, together with the Departwhole expenses of the said Department, be defrayed out of ment, moneys voted by Parliament.

Board of Education for Scotland.

- 3. With a view to greater efficiency and convenience in the institution and organization of schools and school boards under the provisions of this Act, a Board of Education for Scotland¹ shall be and is hereby established, to endure for the term of three years from and after the passing of this Act, with power to Her Majesty, by Order in Council made before the expiration of that term, to extend the same for a further period of not more than two years; and with respect to the constitution of the said board the following provisions shall have effect:
- ¹ As the Bill was framed and introduced, no provision was made for the establishment of a Board of Education. Power was given to the Department to appoint "officers" in Scotland, to perform such duties as should be performed in Scotland. The Scotch representatives, however, pressed upon the Government their desire to establish a Board; and the Government, while declining to sanction the creation by statute of an irresponsible permanent board, consented to the appointment of a temporary organising Board, responsible to the Scotch Education Department, to assist the school boards in starting the measure.
 - (1.) The board shall consist of five members to be appointed by Her Majesty, to hold office during Her Majesty's pleasure. Any vacancy occurring during the subsistence of the board shall be supplied by a new appointment. One of the members shall be nominated by Her Majesty to be chairman of the board, and with power to him to appoint any other member to be deputy chairman, and in the absence of the chairman and deputy chairman at any meeting of the board, the members present may nominate one of their number to act as chairman of the meeting. Two members shall be a quorum.

(2.) The office and general place of business of the board

shall be in Edinburgh.

(3.) Her Majesty shall appoint a fit person to be secretary of the board to hold office during Her Majesty's pleasure, and the board shall appoint such necessary clerks and officers as shall be sanctioned by the Lords of Her Majesty's Treasury, to hold office during the pleasure of the board.

(4.) The board may from time to time appoint any one or more of their number to perform special duties connected with the execution of this Act, and to visit such places as may be necessary for that purpose, and in the performance of their duties the member or members so appointed shall be responsible to the

board and subject to their control.

- (5.) The ordinary meetings of the board shall be held in A.D. 1872 Edinburgh, and it shall be the duty of the chairman or some other member of the board, as may from time to time be arranged, and of the secretary, to give regular attendance in the office of the board at ordinary business hours during at least nine months in the year, unless when absent on the business of the board or prevented by reasonable
- (6.) The board and the members thereof shall be responsible to the Scotch Education Department, and on the expiration of the original or extended term of their endurance their powers and duties shall devolve and are hereby devolved upon the said department, and thereafter the various clauses and provisions of this Act in which the term "Board of "Education" occurs shall be construed and have effect as if the term "Scotch Education Depart-"ment" were substituted therefor.
- 4. The first meeting of the Board of Education shall be Meeting held in Edinburgh on the third Friday of October one thou- of the sand eight hundred and seventy-two, or on such other day Board. thereafter as shall be appointed by the Scotch Education Department, and at such place in Edinburgh as the said department shall appoint. Subsequent meetings shall be held at such times and places as the Board shall direct. Ordinary meetings shall be held in the office of the Board, (except during the months of August and September,) at intervals which shall not without reasonable cause exceed one month, and special meetings may be held at any time according to the pleasure of the Board. Any meeting may be adjourned.
- 5. The Board of Education shall submit for the considera- Board to tion of the Scotch Education Department the conditions ac-frame cording to which, in their opinion, parliamentary grants may draft minute as to be most advantageously distributed in Scotland: Provided distributions and the state of the st always, that the duty of determining from time to time the tion of rates and conditions according to which the said grants may parliamentary be given under the provisions of this Act, and of framing and grant.1 from time to time revising the minutes containing the same, shall be upon the Scotch Education Department.

¹ The rubric to this section is incorrect. As the Bill passed the House of Lords, the duty of framing the code for the distribution of the Parliamentary grant was put upon the Board. The House of Commons altered this, and substituted the clause as it stands here. But the rubric seems to have escaped notice, and remains as it left the House of Lords. The A.D. 1872 words of the section are precise. The duty of the Board is limited to making suggestions for the consideration of the Department. conditions and minutes in accordance with which the grant will be distributed are to be determined and framed by the Department.

Board to make record of their proceedings, and to submit an annual report.

6. The Board of Education shall make a record of their proceedings, in which shall be entered minutes of all meetings held by them, or any committee appointed by them, and all resolutions passed and orders made by them, and all other matters which the Board may judge proper; and the Board shall, once in every year, submit a report of their proceedings under this Act, during the preceding year, to the Scotch Education Department, in order to its being laid before both Houses of Parliament.

Expenses of Board.

7. The chairman and two ordinary members and the secretary of the Board of Education shall have such salaries as may be assigned to them by the Lords of Her Majesty's Treasury, and the same, together with the whole expenses of the Board and of their establishment and reasonable travelling expenses, shall be defrayed out of money to be voted by Parliament.

Election of school boards.

- 8. Within twelve months after the passing of this Act¹ a school board shall be elected in and for each and every parish² and burgh, in accordance with the provisions of this Act. 4
- ¹ By the 6th of August 1873. If any parish or burgh is without a school board, by that date the Board will nominate a school board for it, § 20. The provisions as to the first elections of school boards, are con-

tained in § 12.

2 and 3 For the constitution of school districts—i.e., parishes, burghs,

united parishes, and school districts—cf. Summary, p. v, vi.

⁴ In committee of the House of Commons it was proposed to omit the words "parish and." The object being to exclude the parish schools from the operation of the Act, and to limit the establishment of school boards to burghs, or to those parishes only where additional public school accommodation was required. In opposing this amendment, the Lord Advocate said that "some of the parish schools had been repre-"sented by the Education Commissioners as very excellent, but some "of them were discreditably and scandalously bad. . . . The people of Scotland were resolved to have a sufficient number of efficient "schools for the education of their children. These must be main-"tained from three sources, Parliamentary grants, fees paid by pupils, "and local rates. The natural managers for these schools were those who contributed to the expenses. The ratepayers would be too large "a body to be managers, and therefore they must resort to the ex-"pedient of making the ratepayers the constituency to appoint from "their own number, or, without limiting them to their own number, to "appoint those in whom they had confidence, to make efficient pro-"vision for the respective parishes and burghs. . . . Nothing could "be more unreasonable or inconvenient than to have a dual system of " management; one system for existing rate-supported schools, and an-"other for new rate-supported schools. The best system of manage"ment for the latter—that, namely, by a popularly-elected school A.D. 1872 "board—must also be the best for the former. . . . With reference, "therefore, to all existing public rate-supported schools, as well as to all

- "those which should become so, the Government proposed that there should be a school board elected in each parish by the inhabitants— "namely, by those who were chiefly interested in the matter of educa-"tion." The amendment was lost by a considerable majority, and no attempt was made in the House of Lords to reverse this decision.
- 9. The area of a parish shall for the purposes of this Act Area of a be exclusive of the area of any burgh or part of a burgh situ- parish and ated therein for which a school board is required to be elected, area of a burgh. and the area of every such burgh shall for the purposes of this Act be taken to be the limits within which the municipal, or where there are no municipal, then within which the police assessments thereof are levied; 1 and any question or dispute regarding the area of any parish or burgh for the purposes of this Act shall be settled by the Board of Education, or by the sheriff of the county in which the same or the greater part thereof is situated, on an application by the school board authorised by the Board of Education, and the determination of the Board of Education or of the sheriff, as the case may be, shall be final.

- ¹ It was proposed to adopt the Parliamentary boundaries as the limits of the area of burghs, but this was not pressed.
- 10. When two or more parishes or parts of parishes are United now united, whether quoad omnia or quoad sacra, such united parishes. parishes or parts of parishes shall for the purposes of this Act be esteemed one parish.2

- ² Two or more entire parishes united together, either for civil or for Church purposes, are esteemed one parish for school purposes. A parish made up for Church purposes of parts detached from two or more civil parishes is esteemed a parish for school purposes, and is entitled to a separate school board. Cf. v. 156, 165, 166.
- 11. It shall be lawful for the Board of Education, within Burghs six months after the passing of this Act, to order that any may be united burgh with a population not exceeding three thousand shall with parbe dealt with under this Act, and for the purposes thereof, as ishes in part of the parish in which the same or the greater part thereof certain is situated; and every such order shall be final, and shall not be questioned on the ground of any error in estimating the population of the burgh, or on any other ground.3

3 It will be observed that this provision must be put in force within six months. Power, however, is given by § 19 to include a burgh for which a separate school board have been elected, within the area of a parish, in which case the burgh will cease to have a separate school board. But this power cannot be exercised for three years from the passing of the Act.

a.d. 1872 First election of

school

boards.

- 12. The first election of school boards shall take place and be conducted in accordance with the following provisions:
 - (1.) The number of members of a school board shall be such number, not less than five and not more than fifteen, as may be determined by the Board of Education with respect to each parish and burgh: 1
- ¹ School boards may commit the management of any school under their charge, and may delegate any of their powers, except that of raising money, to managers, § 22.
 - (2.) The electors shall consist of all persons being of lawful age, and not subject to any legal incapacity whose names are entered on the latest valuation roll² applicable to the parish or burgh for which the board is to be elected, made up and completed not less than one month prior to the election, as owners or occupiers of lands or heritages³ of the annual value of not less than four pounds, situated within such parish or burgh, and the valuation roll, or a certified copy thereof, shall be conclusive evidence that the persons therein named had and continue to have the qualifications annexed to their names respectively in the said roll:

² The valuation roll is made up under the authority of the Act of 17 & 18 Vict. c. 91 (1854). It contains in a tabulated form the following

particulars-

- 1. The name or description of the subject.
- The name of the proprietor.
 The name of the tenant.
- 4. The name of the occupier.
- 5. The yearly rent or value.

The roll is prepared by an assessor appointed by the Magistrates in burghs and by the Commissioners of Supply in counties. The roll is prepared every year by the 15th of August; by the 25th every person has received a copy of the entry relating to himself if there is any change from the entry of the previous year. The entry may be corrected before September 8, when the roll is transmitted to the Town Clerk in burghs, and the Clerk of Supply in counties. Appeals may be made to the Magistrates or Commissioners of Supply between the 10th and 15th of September, and all appeals must be disposed of by the 30th September. Appeals lie from these courts to the supreme court. When all appeals are disposed of, and the roll authenticated, it "shall be in "force as the valuation roll of the county or burgh, as the case may be,
"for the year commencing at the term of Whitsunday immediately pre"ceding, and ending at the term of Whitsunday immediately following."
The Clerk of Supply or Town Clerk is bound to furnish without fee to the clerks of the several parochial boards within the county or burgh a copy of so much thereof as relates to their respective parishes.

Arrangements might be made to furnish copies to clerks of the several

school boards.]

"Without fee."—There are conflicting decisions in different Sheriff Courts on this point. Cf. Campbell v. Wylie, 'Poor Law Magazine,' iii. 525, June 1861; and Stewart v. Sanderson, 'Poor Law Magazine,' new series, iii. 164, January 1870.

³ Lands or heritages.—The expression in the Act of 1854 is "lands A.D. 1872 "and heritages." It extends to and includes by definition-

Lands and houses.

Deer forests actually let. Shootings

Fishings.

Woods, copse, and underwood from which revenue is actually derived.

Piers, harbours, quays, wharfs, or docks.

Canals.

Railways.

Mines, minerals, and quarries.

Coal-works.

Water-works.

Lime-works.

Brick-works.

Iron-works.

Gas-works.

Factories, and all buildings and pertinents thereof, and all machinery fixed or attached to any lands or heritages; provided always, that no mine or quarry shall be assessed unless it has been worked during some part of the year to which such assessment applies.

- (3.) In each parish the heritors and minister who under the law as existing at the passing of this Act have the management of the parish school and the appointment of the parish schoolmaster shall, as soon as conveniently may be after the publication of the rules and directions for the conduct of first elections of school boards to be issued as herein-after directed by the Board of Education,4 meet and fix a time and place for the election of a school board, and appoint a fit and proper person to be returning officer at the election, and shall make due publication of the time and place so fixed and of the person so appointed, and transmit written intimation thereof to the Board of Education; and should such heritors and minister in any parish fail for three months 5 after the publication of the rules as aforesaid to perform the duty hereby assigned to them, and to make intimation as aforesaid to the Board of Education, the said Board shall require the sheriff of the county to perform the said duty, and he shall perform the same accordingly:
- ⁴ These rules were issued January 21, 1873. Cf. sub-sec. 6.
- ⁵ I.e., after April 21, 1873.
- (4.) In each burgh having a town council, the town council, and in each burgh not having a town council, the bodies specified with respect to such burghs re-

A.D. 1872

spectively in the schedule of towns hereto annexed,5 shall, as soon as conveniently may be after the publication of the rules and directions for the conduct of first elections of school boards, to be issued as herein-after directed by the Board of Education, meet and fix a time and place for the election of a school board, and appoint a fit and proper person to be returning officer at the election, and shall make due publication of the time and place so fixed, and of the person so appointed, and transmit written intimation thereof to the Board of Education; and should such town council, or such bodies specified in the said schedule of towns, fail for three months after the publication of the rules as aforesaid to perform the duty hereby assigned to them and to make intimation as aforesaid to the Board of Education, the said Board shall require the sheriff of the county to perform the said duty, and he shall perform the same accordingly:

- ⁵ Schedule A. of the Act, p. 51.
- (5.) Within six months after the passing of this Act the Board of Education shall frame and issue such rules and directions as may be necessary for the conduct of the first election of school boards, and such rules and directions shall be published in the Edinburgh Gazette, and shall have the same validity and effect as if the same had been hereby enacted, and all first elections of school boards shall be conducted in accordance therewith.
- ⁶ The rules and directions for elections subsequent to the first will be issued by the Department as provided by § 13.

7 The Rules were issued on the 21st of January 1873, and will be found in the Appendix, p. 155.

At every election every voter shall be entitled to a number of votes equal to the number of the members of the school board to be elected, and may give all such votes to one candidate, or may distribute them among the candidates, as he sees fit.

No teacher of a public or State-aided 8 school in any parish or burgh shall be eligible as a member of a school board under this Act.9

⁸ State aided.—This word is not defined; but it may be taken to mean any school in receipt of Parliamentary grant. The Sheriff-Substitute of Paisley has—as we think rightly—interpreted this expression to mean, "Schools now in receipt of aid and subject to inspection." The Sheriff-Depute, however, has reversed his Substitute's decision.

⁹ All expenses incident to the election of a school board—except the expenses of candidates or members—are to be paid out of the school fund. Cf 5.42 p. 97

fund. Cf. § 43, p. 27.

13. Each school board elected under the provisions of this A.D. 1872 Act shall remain in office until a new election snall take place as herein-after provided, and the time for every election subelections sequent to the first shall be appointed by the Scotch Educa- subsetion Department, having regard to the circumstances and quent to convenience of the locality in which the election is to take the first to be applace, and so that so far as practicable and convenient there pointed shall be an election in each parish and burgh for which a by the separate school board is appointed to be elected once, and not departoftener, in every period of three years, and that each school board shall remain in office for three years, and no longer; and it shall be lawful for the said department to appoint the time or times for the elections subsequent to the first in each parish and burgh by general order, which shall subsist until a new order shall be made; and the school board in office shall, a convenient time before the time so appointed for the next election, take such steps as they shall deem necessary, or as shall be directed by the said department, for the election of a new school board accordingly; and should any election not take place as required by this Act, and at the times hereinbefore specified, the Scotch Education Department may issue an order for an election at such time and place as the said department shall determine, or may allow the existing school board to continue in office, or may nominate a school board for the parish or burgh in which the failure has occurred, in the manner herein-after provided with respect to any parish or burgh which on the expiration of twelve months from the passing of this Act shall be without a school board, and any board so nominated shall continue in office for the same period as a board elected under this Act at the time when the failure occurred, and shall have all the powers and be required to perform all the duties of a board so elected; and should a vacancy occur in any board during the currency of its period of office, such vacancy shall be supplied by the board itself nominating a person to supply such vacancy, and every person so nominated shall go out of office at the same date as the school board.

14. The candidates having the majority of votes at any

1 It is probable that the general elections for school boards will take place all over Scotland at the same time. But by this section power is given to the Department in elections subsequent to the first to fix a different time for different localities.—E.g., it may be convenient to hold the elections in burghs about the same time as the municipal elections, and the elections in the country, and particularly in the Highlands, in September or October. It is in the discretion of the Department to fix the time which they think most convenient. But there must be an election every three years.

Determination of questions regarding the election of school boards.

A.D. 1872 election, whether the first or any subsequent election, shall be elected, and in every case of equality the returning officer 1 shall determine which candidate is to be deemed duly elected. Any question or dispute regarding the election of a candidate shall be summarily determined by the sheriff of the county on the petition of any person interested having a legal title and interest to raise such question, and the determination shall be final; and unless and until the sheriff shall otherwise determine, the school board shall be deemed to consist of the members who have been declared by the returning officer to be elected, and the acts and proceedings of such board shall be deemed to be valid accordingly, and no subsequent declaration or finding that any member was not duly elected shall affect the validity of the acts and proceedings of the boards in which such member may have taken part.

> ¹ The returning officer at first elections in parishes is to be appointed by the heritors and minister: in burghs and towns by the Town Councils or bodies specified in Schedule A.

> At subsequent elections the chairman of the school board is returning officer, or, failing him, some person appointed by the school board.

Schedule B. § 3, p. 51.

The returning officer at elections in England is, in burghs, the Mayor, or a deputy appointed under his hand: in parishes, the clerk of the Union of which the parish forms part, or the person for the time being discharging the duties of clerk. Cf. Owen's Elementary Education Act, 1870, p. 198 and 210.

If a similar principle of selection were adopted in Scotland, the Provost would be returning officer in burghs, and probably the chairman of the Parochial Board in parishes. In many cases it may be found convenient to employ a professional lawyer. There is nothing in the Statute positively to prevent a returning officer from being a candidate, or from voting at an election. But it is clearly inexpedient, and, at common law, perhaps incompetent.

Invalid elections.

15. In case the election of any person or persons shall be declared to be invalid, and the full number of members shall not without such person or persons, have been validly elected, the school board, if a quorum exist, shall nominate and appoint a person or persons to be a member or members of the school board in room and place of such person or persons whose election has been declared to be invalid, and if a quorum do not exist, or if the school board fail for three weeks to make such nomination and appointment as aforesaid, the Board of Education may order a new election of as many members of the school board as shall be necessary to make up the full number of members; and all persons who shall be so nominated and appointed by the school board shall be deemed and taken to be duly elected members of the school board.

¹ Three members of the school board are a quorum. Cf. § 21.

16. Notice of the election of a person to be a member of a a.u. 1872 school board shall be sent to that person by the returning officer, together with a notice to attend the first meeting of the Notice of school board, at the prescribed time and place; and the time election to be sent by and place of the first meeting shall be announced at the time returning of declaring the election, and the time shall be not later than officer. fourteen days after the date of the election.

- 1 The time and place of meeting should be announced by the returning
- 17. If the Board of Education are of opinion that any Astosmall parish is too small, or contains too few inhabitants to be entitled to act as a separate parish for the purposes of this Act, districts. they may by order direct that it shall for the purposes of this Act be added to an adjacent parish, and thereupon it shall for these purposes be deemed to be part of the parish to which it is so added.1 It shall be lawful for any two or more school boards of adjoining parishes, with the consent and approbation of the sheriff of the county in which such parishes or any of them are situated to separate and detach from the parishes of which they are the school boards, such portion or portions of such parishes respectively as they shall deem it expedient to unite together and form into a school district, and to form the same into a school district accordingly.2

- ¹ And will of course bear a due proportion of assessment. Cf. § 44.
 ² In the Report of the Assistant Commissioners for the county districts of Scotland (p. 17), the importance of establishing district schools by two or more parishes combining in the manner provided in this section, is urged. As an instance of the sort of combination which might take place under this section, the following passage may be
- quoted:—
 "High up among the hills some five miles from Fintry village, there "is a district with a considerable population not altogether in the "parish of Fintry, but extending over the reverses of the parishes of "St Ninian's, Denny, Kilsyth, and Fintry. These four parishes meet in " the basin of the Carron, and here there is a population eager for educa-"tion, but from five to seven miles distant from any school. A district school for these parishes would be of great value. Whether " the erection of such schools should fall upon the heritors of the different "parishes, . . . or whether they should be erected by means of the collected from the inhabitants of the district, and be managed by "the inhabitants, would be subject for consideration. But something the inhabitants, would be subject for consideration." " outside the parochial system is wanted in such exceptional districts.

When a school district has been formed under this provision, a school board must be elected for it. The Board will lay down the rules in accordance with which first elections of school boards to such school districts will be conducted in the Rules and Directions for the election of A.D. 1872 school boards, which they are to frame and publish under § 12, sub-sec. 5.

Cf. Appendix, p. 158, Rule 16.

Election of a school board in a burgh for which a school board has not previously been elected.

18. It shall be lawful for the Board of Education at any time, but not before the lapse of three years after the passing of this Act, and from time to time thereafter, to order that a school board shall be elected for any burgh or town for which a school board has not previously been elected, and to frame and issue all proper rules and directions for carrying such order into execution, and from and after the period specified in the order such burgh or town shall, according to the limits thereof as specified in said order, cease for the purposes of this Act to be included in the area of the parish in which it is situated, and shall be esteemed to be a burgh within the meaning and for the purposes of this Act, and a school board shall be elected therefor accordingly in pursuance of the order.

Parish school board may include burgh school board.

Time for making such alterations. 19. It shall be lawful for the Board of Education at any time, but not before the lapse of three years after the passing of this Act, and from time to time thereafter, to order that any burgh or town for which a school board has been elected shall, from and after a time to be specified in such order, cease to have a separate school board, and shall for the purposes of this Act be included in the area of the parish in which it is situated, and be subject to the school board of such parish. Any order made by the Board of Education in pursuance of the powers conferred by this and the two preceding sections shall, when no urgent reason to the contrary exists, be so framed as to come into operation at the next ensuing general election of a school board for the locality in which it is to have effect.

Nomination of school boards after the expiration of twelve months.

20. If on the expiration of twelve months from the passing of this Act¹ any parish or burgh shall be without a school board elected in pursuance of this Act, the Board of Education shall nominate a school board² for such parish or burgh, and the school board so nominated shall, during the period of one year from the date of nomination, and thereafter until a school board shall be elected in pursuance of this Act, have all the powers, and be required to perform all the duties by this Act imposed on and required of a school board duly elected; and the first meeting of a school board so nominated shall be held at such time and place as may be directed by the said Board of Education.

¹ I.e., by August 6, 1873.

² In England, when the Education Department nominate a school board, they may, under § 65 of the Elementary Education Act, 1870,

assign them remuneration, and this remuneration must be paid out of A.D. 1872 the school fund.

21. Every school board shall at the first meeting after School their election appoint one of their number to be chairman shall apduring the school board's tenure of office; and should the point chairman be absent from any meeting of the school board, chairman. the members present shall appoint one of themselves to be chairman of the meeting; and should a vacancy occur in the office of chairman during the currency of the school board's tenure of office, it shall be supplied by a new appointment; and at every meeting the chairman shall have a deliberative, and also, in cases of equality, a casting vote; 2 and three members of the school board shall be a quorum.

1 Of their number.—These words do not occur in the analogous provisions in the English Act, and questions have arisen as to whether the chairman must be necessarily a member of the school board. No such question can arise under this section. In England, "in the case of one "school board, a lady has been elected chairman."—Owen's Manual, p. 145. ² In the third schedule of the English Act the following provisions

"e. Every question shall be decided by a majority of the votes of the " members present and voting on that question.

"f. The names of the members present, as well as of those voting " upon each question, shall be recorded.

"The presiding chairman is entitled to have his vote on any question "recorded in the same manner as any other member of the Board pre-" sent at the meeting, and if the votes are then found to be equal, he " will be entitled to give a second or casting vote. If the chairman has "not already voted, and the votes are found to be equal, he may give his casting vote. When the chairman intends to vote on a question " (irrespective of his casting vote), he should give his vote before declar-"ing the numbers voting for and against the motion." -Owen's Manual, p. 144.

There is no provision to enable members of school boards to vote by

proxy.

22. The school board of every parish or burgh shall be a School body corporate by the name of the school board of such board deparish or burgh, and shall have perpetual succession, and be a body power to acquire and hold land for the purposes of this Act; corporate. and it shall be lawful for any school board, from time to time Managers. as they see fit, to commit the management of any school under their charge, and to delegate any of their powers under this Act, except the power of raising money, to managers¹ appointed by them; such managers shall not be less than three in number, shall observe such rules, conditions, and restrictions as the school board shall from time to time prescribe, and shall all, or any of them, be removable at the

A.D. 1872 pleasure of the school board, and may all, or any of them, resign on giving written notice to the school board.

¹ Managers.—Two or more school boards may elect the same managers.

In the third schedule of the English Act the following provision refers to managers:—

"Proceedings of Managers appointed by a School Board.

"The managers may elect a chairman of their meetings. If no such chairman is elected, or if the chairman elected is not present at the time appointed for holding the same, the members present shall choose one of their number to be chairman of such meeting. The managers may meet and adjourn as they think proper. The quorum of the managers shall consist of such number of members as may be prescribed by the school board that appointed them, or, if no number be prescribed, of three members. Every question at a meeting shall be determined by a majority of votes of the members present and voting on that question; and in case of an equal division of votes, the chairman shall have a second or casting vote.

"The proceedings of managers shall not be invalidated by any

"vacancy or vacancies in their number."

Parish schools.

23. The parish and other schools which have been established and now exist in any parish under the recited Acts, or any of them, together with teachers houses and land attached thereto, shall be vested in and be under the management of the school board of such parish, or if situated in a burgh, then of the school board of such burgh, unless such parish school is the parish school of the landward district of a parish partly landward and partly burgal, in which case it shall be under the management of the school board of such district from and after the election of such school board, and the said school board shall thereafter, with respect to school management and the election of teachers, and generally with respect to all powers, obligations, and duties in regard to such schools now vested in or incumbent on the heritors qualified according to the existing law and the minister of the parish, supersede and come in the place of such heritors and minister; and all jurisdiction, power, and authority possessed or exercised by presbyteries or other church courts with respect to any public schools in Scotland are hereby abolished: Provided that nothing in this section contained shall defeat or prejudice any right or title to the land whereon any such school or teachers houses shall be built, other than that of the heritors or others being managers of such school, or shall defeat or prejudice any charge, burden, or liability to which such land or houses may be subject.

¹ By this section the parochial, side, parliamentary, and heritors' girls' A.D. 1872 schools are transferred from the heritors and vested ipso facto in the school boards as soon as they are elected, and all connection between these schools and the parish minister, the presbyteries, and the Church courts is severed. The heritors, as such, are, after the current year, relieved of all parochial burdens for the support of these schools, though they will be liable as ratepayers, and as ratepayers they will be assessed according to the real, and not the valued, rent. The parish ministers and the presbyteries are relieved from the statutory duty of superintending the parish and other schools. The ministers may, and probably will in many cases, be elected to the school boards, and frequently will be appointed managers. But all ex officio management of the schools is abolished.

The words, "and generally with respect to all powers, obligations, and "duties in regard to such schools now vested in or incumbent on the "heritors qualified according to the existing law, and the minister of the parish," were inserted in the House of Lords. The statutes prescribing the powers, obligations, and duties, are the Acts of 1696, 1803, 1838, and 1861. These Acts will be found in the Appendix. By the Act of 1803 power is given to the heritors to send poor children to the parish schools without fees. An ineffectual attempt was made in Committee to have

this power retained.

24. Every burgh school shall be vested in and be under Burgh the management of the school board of the burgh in which schools. the same is situated from and after the election of such school board, and the said school board shall thereafter, with respect to school management and the election of teachers, and generally with respect to all powers and duties in regard to such schools now vested in the town council and magistrates, or other authorities in whom the school management and the election of the schoolmasters and teachers is at present vested, supersede and come in the place of such town council and magistrates or other authorities.1

1 By this section the burgh schools are transferred from the magistrates and town councils of their respective burghs, and vested ipso facto in the school boards of the burghs as soon as they are elected.

The burgh schools are of two kinds,—the ordinary public schools, and the higher class public schools. The former will be supported by fees, rates, and Parliamentary grant; the latter will be self-supporting. They will receive no aid from public funds except the expense of annual examination and the maintenance of school buildings. Cf. provisions as to higher class public schools, §§ 62-64, p. 37-39.

25. Every school under the management of the school Public board of a parish shall be deemed a parish school, and every schools. school under the management of the school board of a burgh shall be deemed a burgh school, and all such schools are hereby declared to be public schools within the meaning of this Act; but nothing in this Act contained shall prejudice or affect the right of the teacher of any existing parish school,

- a.p. 1872 which, under the operation of this Act, may be deemed to be a burgh school, or his successors in office, to participate in the benefits of any bequest for behoof of the teachers of parochial schools, or the powers, rights, and privileges of the trustees or administrators of any such bequests.
 - ¹ Cf. Summary, p. xviii, note 2.

Supply of public school accommodation.

- 26. There shall be provided for every parish and burgh a sufficient amount of accommodation in public schools available for all persons resident in such parish and burgh for whose education efficient and suitable provision is not otherwise made, and when a sufficient amount of such accommodation is not afforded in any parish or burgh, it shall be the duty of such school board to supply the deficiency in the manner provided by this Act; and all public schools, whether existing at the passing of this Act, or subsequently supplied in manner provided by this Act, shall be vested in and shall be under the management of the school board of the parish or burgh in which they do or shall hereafter come to exist.¹
- ¹ The provisions in this and the following clauses constitute the existing law according to which school accommodation is to be provided and maintained for the future throughout the whole of Scotland. The leading principle of these provisions is local as distinct from central initiative. The duty of taking the preliminary steps in establishing a system of public education rests primarily with the school boards, each school board working in its own locality. The management of the schools is left with the school boards, subject to the minimum of interference on part of the central authority. A controlling power is given to the central authority, and they have the means of compelling a recalcitrant school board to do their duty. But where the school boards appear to do their work efficiently, the central authority will probably leave them to themselves, or confine their interference to giving any advice that may be required. An ineffectual attempt was made in Committee to reverse this principle, and adopt that of the English measure, which gives the initiative chiefly to the central authority.

School boards to ascertain amount of school accommodation.

27. It shall be the duty of every school board first elected under this Act for any parish or burgh, as soon as conveniently may be after the election thereof, and of every subsequently elected school board from time to time as shall be reasonable, to ascertain and take into their consideration the educational requirements of such parish or burgh, and the extent and quality of the provisions for supplying the same by means of schools existing and in operation within, or so situated as to be conveniently available for such parish or burgh; ¹ and should the school board be of opinion that the requirements exceed the provisions for supplying the same,

it shall be the duty of the school board to determine the A.D. 1872 extent to which, and the manner in which additional school accommodation ought to be and may most conveniently and advantageously be provided, so that there shall at all times be sufficient and available provision for the efficient education of all the children resident in such parish or burgh; and the school board shall forthwith report such opinion and determination to the Board of Education, and the report shall set forth all facts and circumstances which may be necessary to enable the said Board of Education to judge of such opinion and determination; and should any school board first elected under this Act be of opinion that the requirements are not in excess of the provisions, and that it is unnecessary to provide additional school accommodation, the school board shall report such opinion to the Board of Education, together with all facts and circumstances necessary to enable the said Board of Education to judge thereof; and a report in terms of the requirements of this clause shall be transmitted to the Board of Education by each school board first elected under this Act as soon as conveniently may be, and in no case later than nine months after the election of the school board.2

1 "So situated as to be conveniently available for such parish or "burgh." These words are important, as indicating that the Legislature intended that there should be an economical distribution of schools throughout the country, and no unnecessary multiplication of schools in any parish or burgh. The same intention is indicated by the clauses providing for the formation of school districts (§ 17), and for the com-

bination of school boards (§ 42).

2 It will be observed that school boards must report to the board within nine months after their election. In country parishes and in most burghs reports might be transmitted in three months, or even in less time. But in large towns, such as Edinburgh or Dundee, the full nine months may be necessary. The requirements of Glasgow have been ascertained to a large extent by the Education Commissioners.

In performing their duties under this section and section 30, school boards will receive assistance from the volume of statistics relative to schools in Scotland, published by the Education Commission in 1865.

28. The Board of Education may approve of the opinion Accommoand determination of a school board with or without qualifi- dation to be procation or addition, or may direct a further report, or may direct vided. an inquiry by officers or persons appointed by the said Board of Education; and should the said Board of Education approve, with or without qualification or addition, of the opinion and determination of the school board with respect to providing additional school accommodation, the same shall, without unnecessary delay, be acted upon and carried into

A.D. 1872 effect by the school board accordingly; and should the said

Board of Education see fit to direct that additional school accommodation be provided, although not determined upon by the school board, they shall have power to do so, and their direction shall be acted on and carried into effect by the school board without unnecessary delay.

Inquiry may be ordered.

29. Should any school board first elected under this Act for any parish or burgh fail to transmit a report to the Board of Education within the period herein-before specified, and should such failure continue for one month after a requisition from the said Board of Education, or should the report of any school board be, in the opinion of the Board of Education, unsatisfactory, it shall be lawful for the said Board of Education to cause inquiry to be made by officers or persons appointed by the said Board of Education into the matters which, in the opinion of the said Board of Education, such report ought to have embraced, and thereupon to make and issue such orders and directions as they shall see fit with respect to providing additional school accommodation within the parish or burgh of the defaulting school board in the same manner and with the same force and effect as if a report had been made in terms of this Act, and the expense of such inquiry, as the amount shall be certified by the said Board of Education, shall be a charge upon and shall be defrayed by the defaulting school board, and in default of payment shall be recoverable as a debt due by such board.

Existing schools to be taken into account.

30. In considering and determining whether any and what amount of public school accommodation or additional public school accommodation is required for any parish or burgh, the school board and the Board of Education shall have regard to and take into account every school, whether public or not, and whether or not situated in the said parish or burgh, which, in their opinion, gives or will when completed give efficient education to and is or will when completed be suitable and available for the education of the children of such parish or burgh, or any portion of them; and every school board and the said Board of Education shall have power to call upon all public officers and upon all clergymen, teachers, and managers of schools for such information and for access to and delivery of all such documents as shall to the said school board and Board of Education respectively appear to be necessary to enable them to discharge their duties under this Act, and every such school board and the said Board of Education may from time to time appoint fit and proper persons to procure such information and inspect such documents, and also to enter, inspect, and examine all schools and school buildings, and scholars therein; pro- A.D. 1872 vided that no school which is subject to inspection by one of Her Majesty's inspectors of schools shall be required to have its scholars examined by any other person.1

¹ This clause gives wide powers to school boards as, under the provisions contained in it, all classes of schools—denominational, subscription, proprietary, private adventure, girls' schools as well as boys' schools, &c.—may be visited and inspected by school boards if the managers desire to have them recognised as contributing to the efficient education of the school district. Without these powers school boards could not be held responsible for the proper discharge of their duties. But to prevent anything like vexatious interference on part of any school board, the words at the end of the clause, limiting the powers of inspection to H.M. Inspectors, were introduced mainly in the interest of Roman Catholic and Episcopalian school managers.

In determining what schools are "suitable and available," school boards will consider such points as the following:

1. The population of their school district.

2. The number of children of school age. One-sixth of the population may in a rough way be considered as of school age. 3. The situation of the schools and their proximity to each other. 4. The size and adaptability of the buildings. 5. The branches taught. 6. The fees charged. 7. The staff of teachers. The point to aim at is to have an efficient school, within at furthest three miles from any of the children resident in the school district.

In Highland parishes this point cannot be attained. But in most parishes, even in the Highlands, by taking care that schools are set up in suitable localities—e.g., where several valleys meet, or at the junction of cross roads, or in the vicinity of ferries, provision can be made for nearly all the children resident in those parishes. Cf. provisions contained in § 67 with respect to Building Grants in the Highlands.

Private adventure, denominational schools, and others, may be recognised as giving efficient education, although their teachers are not certificated, and although they will not conform to the conscience clause. But no Parliamentary grant can be given in respect of schools so conducted.

31. It shall be lawful for the Board of Education from Returns time to time to require from any school board a return con- may be retaining such particulars with respect to the schools and the quired from number of children requiring education in any parish or school burgh as the said Board of Education may from time to time boards. specify, and every such requisition shall be obeyed by the school board to which it is addressed, and for that purpose the school board shall have power to call upon all such persons as are in the preceding clause mentioned for such information as may be necessary to enable them to make the required return.

32. The Board of Education shall supply to the school Mode of boards such forms as may be required for the purpose of ob- obtaining taining returns; and the managers or principal teacher of returns. every school required to be included in any return shall fill

A.D. 1872 up the form, and transmit the same to the school board within the time specified in the form.

Proceedings on failure of school board to make returns.

33. If a school board fail to make any return required under this Act, the Board of Education may appoint a person or persons to make such return, and the person or persons so appointed shall for that purpose have the same power and authority as the school board, and the expense of making such return shall be recoverable as a debt due by the defaulting school board to the person or persons making the same.

Inquiry by

34. The Board of Education may appoint any persons to inspectors act as inspectors of returns, and such persons shall inquire into the accuracy and completeness of any return made in pursuance of this Act, and into the efficiency and suitability of any school included therein, or which ought to have been mentioned therein, and inspect and examine the scholars mentioned therein. When there is no return, the inspector shall proceed as if there had been a defective return.

Refusal to fill up form and to admit inspectors.

school

&с.

35. If the managers or teachers of any school refuse or neglect to fill up the form required for the said return, or refuse to allow the inspector to inspect the school house or examine any scholar, or examine the school books and registers, or to make copies or extracts therefrom, such school shall not be taken into consideration among the schools giving efficient education.

Maintenance of schools by boards,

36. The school board of every parish and burgh shall maintain and keep efficient every school under their management, and shall from time to time provide such additional school accommodation as they shall judge necessary.

A school board may with the sanction of the Board of Education discontinue or change the site of any school under their management, and may sell and dispose of any land and buildings connected with any school so discontinued or the site of which is so changed.1

If at any time the said Board are satisfied that a school board of a parish or burgh have failed to maintain and keep efficient any school provided by them, or to provide such additional school accommodation as in the opinion of the Board is necessary to supply a sufficient amount of public school accommodation in the parish or burgh, the said Board may send them a requisition requiring them to fulfil the duty which they have so failed to perform; and the school board shall comply with the said requisition without undue delay, and if they fail may be summarily compelled to do so by the Court of Session on a petition and complaint at the instance of the Lord Advocate.

1 I.e., any parish, side, parliamentary, or heritors' girls' school, or any burgh school, existing at the passing of the Act, and any school transferred to or under the management of a school board, may be dis- A.D. 1872 continued or changed or sold. This power will probably be extensively used in Highland parishes—in the counties of Inverness, Argyll, Ross, Orkney, and Shetland—where the existing school-buildings are insufficient. The school boards in the country parishes of these counties can, with the sanction of the Board, sell these buildings; levy a 9d. rate; and get building grants for new schools under § 67.

- 37. In performing their duties under this Act, it shall be Proceedlawful for any school board to acquire by purchase or other-ings for wise sites for schools, teachers houses and gardens, and to schools, enter into contracts for the erection of schools and teachers houses thereon, and to have such schools and teachers houses erected, and also to acquire by purchase or to take on lease any existing schools and teachers houses, together with any land used or suitable to be used in connection therewith, not being schools, houses, and land of the description to which the provisions of this Act in the two immediately succeeding sections, regarding the transference of existing schools, are applicable, and from time to time to improve, enlarge, and furnish any school of which they have the management, and all charges and expenses consequently incurred by them shall be paid out of the school fund. And for the purpose of the purchase by a school board of any land or building in pursuance of the provisions of this Act, the clauses of the Lands Clauses Consolidation (Scotland) Act, 1845, with respect to the purchase of lands by agreement, shall be incorporated herewith, and the expression "the promoters of "the undertaking" in the said Lands Clauses Consolidation Act shall, for the purposes of this enactment, mean the school board of any parish or burgh.2
- ¹ Proprietary and private schools can be sold and bought or leased under this section. The proprietor of a school might, if he so contracted, lease it to the school board for a term of years, and take it into his own hands at the expiration of the lease. Denominational and subscription schools can only be transferred. Schools which have been erected with the assistance of Building Grants from the Committee of Council cannot be sold, exchanged, or mortgaged, unless the consent of the Home Secretary has been given, or the amount of the grant repaid to the Treasury. Cf. provisions of the Act of 18 & 19 Vict. c. 131.

² These clauses will be found in the Appendix, p. 53.

38. With respect to schools now existing or which may Transferhereafter exist in any parish or burgh erected or acquired and ence of maintained or partly maintained with funds derived from existing schools. contributions or donations (whether by the members of a par- &c. ticular church or religious body, or not) for the purpose, or authorised by the contributors or donors to be applied for the purpose of promoting education; be it enacted, that it shall be lawful for the person or persons vested with the title to

A.D. 1872 any such school, with the consent of the person or persons having the administration of the trusts upon which the same is held, to transfer such school, together with the site thereof and any land or teacher's house held and used in connexion therewith, to the school board of the parish or burgh in which it is situated, to the end and effect that such school shall thereafter be under the management of such board as a public school in the same manner as any public school under this Act, and it shall be lawful for the school board, with the sanction of the Board of Education, to accept of such transference, and on the same being made and accepted the said school, with the site and any land and teacher's house included in the transference, shall be vested in the school board, and the school shall thereafter be deemed to be a public school under this Act, and shall be maintained and managed by the school board, and be subject to all the provisions of this Act accordingly; and the existing teachers, if any, of such school may be continued as such teachers by the school board, and their continuance in office may be made a condition of the transference of the school to the school board; and when so continued such teachers shall be in all respects in the same position, and have the same rights and be subject to the same provisions, as teachers appointed by a school board under this Act to a public school of the same class as the school so transferred. And the use of the school-house at such times and for such purposes as shall not interfere with the use thereof under the provisions of this Act by the school board may also be made a condition of the transference thereof to the school board.

Consents ence.

39. The consent of any number of persons having the adto transfer- ministration of the trusts on which any school is held, to the transference of such school, with the site and house and land, if any, held and used in connexion therewith, to a school board under this Act, may be given by a majority of not less than two thirds of the persons having the administration of such trusts present at a meeting duly summoned for that purpose, and the transference may be effected by an ordinary disposition or other deed of conveyance by the persons vested with the title, recorded in the register of sasines, and no stamp or other duty shall be exigible on such disposition or other deed; and the persons whose consent is hereby required need not be parties to the conveyance, and the validity of the transference and the title of the school board shall not be subject to challenge on the ground that the requisite consents were not duly given, unless such challenge shall be judicially made within six months after the recording of the deed of conveyance.

The provisions in clauses 38 and 39 were framed chiefly to meet cases A.D. 1872 where the managers of Free Church or other denominational schools desire to transfer their schools to the school boards with the view of being relieved of the expense of maintaining them. The clauses do not compel the transference of these schools. They provide machinery by means of which any body of managers may divest themselves of their schools, and hand them over to the school boards, and so be relieved of all future liability for the support of them. The school boards cannot purchase these schools—they can only accept of them as a gift. But having got them, unless precluded by the terms of the transference, the school board may sell them for what they will fetch.

The Lord Advocate in Committee said: "The 35th [now 38th] clause "was couched in general terms, but Scotch members knew very well what schools it applied to. It was intended to apply, and did apply "chiefly, to schools established by the Free Church and United Presby-terian Church. . . . These schools were undoubtedly established and "maintained by funds derived from contributions and donations, and the "contributors and donors of the funds resided all over Scotland, from "Maidenkirk to John o' Groat's. Therefore it would be practically im-"possible to hold a meeting of the subscribers, and to obtain their sanction to any proceeding. They had committed the management of the "schools to managers in whom they had confidence, and it was proposed "to authorise those managers to transfer the schools to school boards."

In order to carry out a transference under these clauses, the trustees must make the preliminary overtures, and take the first steps. They must get the sanction of a majority of two-thirds of the persons having the administration of the trust at a meeting duly summoned for the purpose; they must then make the best bargain they can with the school board in accordance with the conditions sanctioned in the section. The school board must then obtain the sanction of the Board, and the transference can be effected by an ordinary conveyance, on which no stamp duty is eligible. A form of conveyance for the purpose will be found in the Appendix, p. 133. It will be observed that the transference of the teacher along with the school, and the use of the schoolroom for other than teaching purposes, may be made conditions of transference. These words are inserted as indicating the sort of conditions which may be made. There is nothing to prevent trustees from making any other conditions not inconsistent with the provisions of the Act, that the school board and the Board will sanction. Cf. p. xxii., note as to Free

On the question as to how contracts existing between the school managers and the teachers would be affected by a transference, the Lord Advocate stated that "the law on this matter was quite clear. A con-"tract subsists until it is legally terminated by the contracting parties.
"Of course no managers would transfer their school without coming to
"a satisfactory arrangement with the school board. There was nothing "in the clause compelling such transfer. But if the managers of a "school, who desired to transfer it, were under existing liabilities "towards their teachers, they would make satisfactory arrangements " before concluding such transfer.

Teachers transferred cannot compel the school boards to fulfil the contracts which they (the teachers) made with the school managers; but the school boards may do so if they like.

In England, if a transference of a school in receipt of annual Parliamentary grant takes place in the course of the school year (New Code, Art. 13), the managers may make an arrangement to claim such proportion of the grant as corresponds to the number of months which

A.D. 1872 have elapsed between the end of the last school year and the date of the transfer. A similar arrangement will probably be made in Scotland.

Establishment of · infant and evening schools.

- 40. It shall be lawful for a school board to establish and maintain one or more infant schools for the instruction of children under seven years of age, and also one or more evening schools for the instruction of scholars above thirteen years of age; and for the purposes of such evening schools a school board may use any schoolrooms vested in them under this Act, or they may hire rooms suitable and convenient for the purpose; and it shall be lawful for a school board to build, purchase, or take on lease such premises as may be necessary for the accommodation of any such infant schools as they are hereby authorised to establish and maintain; and for this purpose they shall possess and be entitled to exercise any of the powers which are by this Act conferred upon school boards; and infant and evening schools established under this Act shall be deemed public schools.1
- ¹ The observations of the Education Commissioners upon Infant and Evening Schools, are worthy of the consideration of school boards. They are contained in the Second Report (1867), p. cxx-cxxix.

Establishment of industrial schools.

- 41. A school board of any parish or burgh may, with the consent of the Board of Education, establish and maintain therein certified industrial schools within the meaning of the Industrial Schools Act, 1866, and shall for that purpose have the same powers as they have for the purpose of providing sufficient public school accommodation for such parish or burgh; provided that the school board, so far as regards any such industrial school, shall be subject to the jurisdiction of one of Her Majesty's Principal Secretaries of State in the same manner as the managers of any other industrial school are subject, and such school shall be subject to the provisions of the said Act, and not of this Act.1
- ¹ Cf. Industrial Schools Act and note on Prevention of Crimes Act, 1871, Appendix, p. 70, 73.
- It will be observed that no power is given to school boards to contribute money to an Industrial School, though this power is given in England to school boards, by § 27 of the Elementary Education Act 1870. The powers of a school board for the purpose of providing school accommodation, which, under this section, are applicable to the establishment and maintenance of an Industrial School, are those set forth in

Combination of school boards.

42. Any two or more school boards, whether of parishes or burghs, with the consent of the Board of Education, may combine and agree together for any purpose relating to public schools in such parishes and burghs, and in particular may combine and agree together for the purpose of providing, maintaining, and keeping efficient, schools common to such parishes and burghs, and for the employment of a teacher or

teachers of special subjects in all or any of the public schools 4.D. 1872 under their charge.

43. The expenses of the school board, including those in School cident to the election thereof (but not including the expenses fund. of any member or candidate), in any parish or burgh under this Act shall be paid out of the school fund. There shall be carried to the school fund all moneys received out of moneys provided by Parliament, or raised by way of loan, or otherwise received by the school board for the purposes of that fund, and not by this Act or otherwise specially appropriated, and any deficiency shall be raised by the school board as provided by this Act.1

¹ For summary of revenue and expenditure of school board, cf. Summary, p. xxiv.

44. Any sum required to meet a deficiency in the school Power to fund, whether for satisfying present or future liabilities, shall impose be provided by means of a local rate within the parish or rates. burgh in the school fund of which the deficiency exists.

The school board of each parish and burgh shall annually and not later than the twelfth day of June in each year certify to the parochial board or other authority charged with the duty of levying the assessment for relief of the poor in such parish or burgh the amount of the deficiency in the school fund required to be provided by means of a local rate, and the said parochial board or other authority is hereby authorised and required to add the same under the name of "school rate" to the next assessment for relief of the poor, and to lay on and assess the same, one half upon the owners and the other half on the occupiers of all lands and heritages, and to levy and collect the same along with the assessment for relief of the poor when that assessment is so imposed and levied, and to pay over the amount to the school board; and where any burgh, parish, or school district with a school board under this Act shall include two or more parishes or parts of two or more parishes having separate parochial boards under the Act of the eighth and ninth years of the reign of Her present Majesty, chapter eighty-three, the school board shall certify to the parochial boards of such parishes respectively the amount of the rate on each pound of rental which they shall lay on and collect as "school rate," along with their several assessments for the relief of the poor, within such burgh, parish, or school district for which the school board acts; 2 and any surplus of school rate which may arise in any one year shall be applied for the purposes of the succeeding year, and in like manner any deficiency which may occur in any year may

- A.D. 1872 be included in the assessment for the succeeding year; and should there be no assessment for the poor, or should that assessment not be laid one half on the owners and the other half on the occupiers of all lands and heritages within such parish or burgh, the school board shall be entitled and bound directly to assess for and levy the said school rate in the same manner as if it were poor's assessment duly authorised to be assessed and levied in the same manner, and for that purpose shall have all the powers and authorities of any parochial board or other authority with respect to assessing, levying, and collecting poor's assessment, and the school rate shall in all cases be levied and collected in the same manner as poor's assessment, and the laws applicable for the time to the imposition, collection, and recovery of poor's assessment shall be applicable to the school rate.3
 - ¹ The first estimates must be prepared before June 12, 1873.
 - ² Cf. Summary, p. xxv.
 - ³ The clauses of the Poor Law Act of 1845 (8 and 9 Vict. c. 83), and of the Acts on the subject passed subsequently to 1845, relating to the imposition, &c., of assessment, will be found in the Appendix, p. 57. In cases where classification has been sanctioned, the school rate will be levied in the same manner as poor's rate.

Borrowing by school board.

45. Where a school board shall require to incur 1 expense in providing or enlarging a schoolhouse, they, with the consent of the Board of Education, may spread the payment over several years, not exceeding fifty, and may for that purpose borrow money on the security of the school fund and the school rate, and may charge that fund and the school rate with the payment of the principal and interest due in respect of the loan. They may, if they so agree with the lender, pay the amount borrowed, with the interest, by equal annual instalments, not exceeding fifty, and if they do not so agree, they shall annually set aside one fiftieth of the sum borrowed as a sinking fund.

10 & 11

For the purpose of such borrowing the clauses of "The Vict. c. 16. Commissioners Clauses Act, 1847," with respect to the mortgages to be executed by the commissioners, shall be incorporated with this Act; and in the construction of those clauses for the purpose of this Act, this Act shall be deemed to be the special Act, and the school board which is borrowing shall be deemed to be the commissioners.

The Public Works Loan Commissioners may lend any money required under this section on the security of the school fund and school rate without requiring any further or other security, such loan to be repaid within a period not exceeding fifty years, and to bear interest at the rate of three A.D. 1872 and a half per centum per annum.

¹ The words "shall require to incur" are noticeable. They were inserted in order that the Public Works Loan Commissioners or any other lenders, might lend money at the commencement of any undertaking, to provide or enlarge school accommodation. The first step to be taken by a school board is to get the consent of the Board to borrow. Having got this consent, they may either go into the open market, or apply to the Public Works Loan Commissioners. The latter may lend without any "recommendation" from the Board, but in all cases the Commissioners would probably communicate with the Board before they lent money.

School boards can pledge the school fund and school rate, and are bound to repay either by instalments or by means of a sinking fund, in fifty years. If they borrow from the Public Works Loan Commissioners,

they will get the money at 3½ per cent.

Applications for loans and communications on the subject should be addressed to

The Secretary,
Public Works Loan Board,
Public Works Loan Board,
Raildings,

3 Bank Buildings, London, E.C.

The clauses of the Commissioners Clauses Act, 1847 (10 and 11 Vict.

c. 16), referred to in this Act, will be found in the Appendix, p. 64.
In answer to objections in Committee to the proposal to pledge the school fund in security, the Lord Advocate said: "If the Parliamentary "grant or the school fees were specially appropriated to the teachers, no "creditors would lend money on the security of the fund. . . "did not wish to limit the power of borrowing merely to the school rate, "as there might be other funds which could be pledged, and might be "made available by creditors. . . . School boards could borrow only "in respect of the wants of the schools under their administration. "For that purpose they were authorised to pledge the income of their own schools. . . . The whole of the Parliamentary grant must go "to the maintenance of the school, but it might be necessary to borrow a " larger sum."

Cf. Summary, p. xxvi, notes 2 and 4.

46. When, in any parish or burgh, property or money has Funds for been or shall be vested in the heritors or kirk session, or in behoof of any person or persons as trustees for behoof of such parish schools to school, or in the town council or in the magistrates of any be transburgh, or in any person or persons as trustees for behoof of ferred to the burgh school or for the promotion of any branch of educa-boards. tion in such schools respectively, or to increase the income of any teacher thereof, the income or revenue of such property or money shall, as it accrues, be accounted for and paid to the school board of such parish or burgh, and shall be applied and administered by the said board, according to the trusts attaching thereto; and the town council of every burgh shall at the term of Martinmas yearly pay to the school board thereof such sum as it has been the custom of such burgh prior to the passing of this Act to contribute to the burgh school out

A.D. 1872 of the common good of the burgh, or from other funds under their charge, and the same shall be applied and administered by the said school board for the purpose of promoting higher instruction; and it shall be lawful for the school board from time to time, with the sanction of the Board of Education, to vary or depart from the said trusts, with a view to increase the efficiency of the parish or burgh school by raising the standard of education therein or otherwise; provided always, that nothing herein contained shall prejudice or interfere with the rights of any teacher or retired teacher of a parish or burgh school under any contract subsisting at the passing of the Act.

¹ As the Bill was framed, the provisions in this section referred to funds vested for the behoof of burgh schools only. In Committee they were expanded so as to include bequests, &c., for the behoof of parish as well as burgh schools.

² In answer to a proposal in Committee to omit these words, and so relieve the town councils from the necessity of paying any annual contribution from the "common good," the Lord Advocate said: "The common good consisted of property held by the magistrates, as trustees for " the community, to be administered for certain purposes, and one of "these purposes was the education of the children of the community. . It had occurred to him that the most proper and reasonable way "of dealing with this trust money was not to raise any question about "land registries beyond this—that as contributions had in the past, ac-" cording to the established custom, been made out of the land registries " for the support of burgh schools, these contributions should be con-"tinued. It was not in the nature of a rate: it was the administration "of trust property held for particular purposes. Many of the burgh schools were not to receive support from rates or Parliamentary grants.

"... Take the burgh school of Glasgow. It had been stated that that school had received in time past out of the 'common good' about £400 "a-year.... If the words were omitted, the burgh school of Glasgow would be impoverished to the extent of £400 a-year paid to them out "of the 'common good' or trust estate in the hands of the magistrates.
"... The rates imposed upon the heritors are taxes imposed upon the "heritors of parishes for the purpose of maintaining rate-schools. . . . "There was a distinction between rate-support, which consisted of taxes "for supporting rate schools, and trust money given for the support of schools which were not rate-schools at all." The amendment was withdrawn. The town council, therefore, in burghs, are to pay over every Martinmas to the burgh school boards whatever sums they have been in the habit of contributing to the burgh schools out of the common good; and the school boards are to administer these funds for the purpose of furnishing higher instruction. As to higher class public schools, cf. § 62.

School boards
may receive and
administer
bequests.

47. Every school board shall be at liberty to receive any property or funds which may from time to time be conveyed, bequeathed, or gifted to such board for behoof of any school or schools under the management thereof, whether generally

or for the promotion of any particular branch or branches of A.D. 1872 education or instruction, or for increasing the income of any teacher, and it shall be the duty of the board to administer such property, funds, or money according to the wishes and intentions of the donors, and in such manner as to raise the standard of education and otherwise increase the educational efficiency of the school or schools intended to be benefited.

48. Each school board shall at the first meeting thereof, Appointor as soon thereafter as conveniently may be, appoint 1 during ment of the pleasure of the school board a fit and proper person or to school fit and proper persons to be treasurer to the school board, board. with such remuneration as the school board shall see fit, and it shall be the duty of the treasurer to keep and preserve in a proper book or books an accurate account of the school fund, and of all other property and funds under the administration of the school board, and of the expenditure thereof; and the account of the school fund shall be kept separate from the account of all other property and funds; and the amount of every property or fund held on a separate trust shall be kept separate. And once in each year an account showing the money receipts and payments of the board, and the state of the funds and property under their charge, shall be made up and transmitted, together with the vouchers, by the treasurer to the accountant of the Board of Education, who shall audit and report on the same, and retransmit the same to the treasurer, to be preserved as the school board shall direct, and such account and vouchers shall be patent at all reasonable and convenient times to any member of the school board, or to any ratepayer who demands inspection on the written requisition of not fewer than five ratepayers. And the Board of Education, or any person they may authorise, shall be entitled to inspection of the said account and vouchers, and also of the books of the treasurer at any time; and the said Board of Education may order any account to be printed at the expense of the school board, and such order shall be obeyed without unnecessary delay.2

¹ As to appointments, cf. Summary, p. xv, xvi, note 2. ² For summary of duties of treasurer, cf. ante, p. xxviii.

49. The first account of every treasurer shall be transmitted Transto the accountant on or before the first day of January one mission of thousand eight hundred and seventy-four, made up to the term by treasurof Whitsunday one thousand eight hundred and seventy-three, ers to acand thereafter the account shall be transmitted as herein-before countant. directed annually on the first day of January made up to the term of Whitsunday preceding; and any treasurer failing to do

A.D. 1872 his duty in this respect as herein-before required, may be compelled to do so by order of the Court of Session on the petition and complaint of the accountant.

Accountant.

50. It shall be lawful for the Board of Education to appoint during their pleasure a duly qualified person to be accountant, to perform the duties herein required; and he shall have an office in Edinburgh, and shall be remunerated in such manner as the Board of Education, with the consent of the Lords of Her Majesty's Treasury, shall determine.

Abstract and expenditure to be laid before Parliament.

51. The accountant shall cause to be annually prepared an of receipts abstract showing the total amount of the receipts and expenditure of each school board, and shall transmit the same together with such report as he shall see fit to the Board of Education, who shall transmit the same to the Scotch Education Department in order that the same may be laid before Parliament.

Appointment of officers.

52. A school board may appoint a clerk or clerks and other necessary officers, to hold office during the pleasure of the school board, and may assign them such salaries or remuneration as they think fit, and may from time to time remove any of such officers; but no such appointment shall be made, except at the first meeting of such school board, unless notice in writing has been sent to every member of the board.

Two or more school boards may arrange for the appointment of the same person to be the treasurer or other officer to both or all such school boards, and such treasurer and other officers shall perform such duties as may be assigned to them by the board or boards who appoint them.²

¹ As to appointments, cf. Summary, p. xv, xvi, note 2.

² A treasurer must be appointed to act for every school board; but the same treasurer may act for several boards. A school board may or may not employ a clerk. In many school boards for parishes a clerk would be an unnecessary expense, as the treasurer could do all the clerical work required.

School fees

- 53. The school board shall, subject to the provisions hereinafter contained with respect to higher class public schools,1 fix the school fees to be paid for attendance at each school under their management, and such fees shall be paid to the treasurer of the board, and a separate account shall be kept of the amount of the fees derived from each school, and it shall be lawful for the school board, if they see fit, to pay to the teachers of a school the fees derived from such school, and to divide the same among them as the school board shall determine.
- 1 The fees to be paid in the higher class schools are to be fixed by the teachers in the schools with the approval of the school boards, and paid to the treasurer. § 62, sub-sec. 5 and 3.

In all other public schools the fees are to be fixed by the school A.D. 1872 boards, and paid to the treasurer. The school boards may agree to give the fees to the teacher, and in some country parishes it will be found convenient to do so. But the rule will be that the fees go to the school fund, and the teachers will be paid by salary irrespective of the

The following proposals were made in Committee at the solicitation of the teachers, and negatived or withdrawn:

1. To secure the fees in each school to the teachers.

2. To secure the Parliamentary grant paid in respect of each school to the teachers.

3. To fix by statute a maximum and a minimum salary for the teachers.

4. To enact that certificates should bear a fixed money value, to be paid out of the rates,—e.g., that the holder of a first-class certificate should receive not less than £50 from the rates; and the holder of a third-class certificate not less than £10.

5. To make it compulsory upon school boards to supply teachers'

houses whether they were required or not.

6. To omit the words in section 55 providing that appointments to

the office of teacher should be during pleasure.

In opposing these several motions, the Government, through the Lord Advocate and the Vice-President of the Council, argued that there should be no interference with the bargains made by the school boards and their teachers. Good teachers would command good prices. It was the interest of the school boards to retain in their service those teachers whose schools earned most money, and if they wished to retain them they must pay them. The fees and grant were not earned by the schoolmaster, but by the school. The school was equipped in the best way at the expense of the community, aided according to results by Parliamentary grant. The schoolmaster was an essential part of the equipment, and the better he was the better the results would be. It would be wrong to limit the free action either of the school boards or the teachers, or to create a statutory disability which would prevent school boards from employing any teachers they liked, or teachers from accepting employment on such terms as they would be willing to take. The sense of the House of Commons was with the Government on all these points, and none of the amendments were carried.

On the other hand a proposal was made to prohibit any teacher of a public school from accepting of any office but that of teacher except under certain conditions. The proposal was rejected. A teacher therefore may hold offices unless prevented by the terms of his bargain; provided always that there is nothing in the new Scotch Code against it.

Any statutory duty, not relating to teaching, which, before the passing of the Act was laid upon the parish schoolmaster, must be performed by him so long as he continues a teacher in a public school in the parish. After he ceases to be teacher, such duties will be performed by the registrar. § 76.

54. Teachers houses now existing and possessed under the Teachers recited Acts, or any of them, shall be maintained during the houses. continuance in office of the teachers now in possession thereof, and thereafter so long as the school boards shall think proper; and it shall be lawful for school boards to provide teachers houses and gardens in such places as they judge neccessary or convenient; and for this purpose they shall possess and be

A.D. 1872 entitled to exercise all the powers by this Act conferred with respect to school houses or buildings.

Teachers in office before the passing of Act

55. Subject to the provisions herein-after contained regarding the removal of the teachers of public schools appointed previously to the passing of this Act, such teachers shall not, with respect to tenure of office, emoluments, or retiring allowance as by law, contract, or usage secured to or enjoyed by them at the passing of this Act, be prejudiced by any of the provisions herein contained, and such emoluments and retiring allowances shall

Teachers appointed

be paid and provided by the school board having the management of such schools respectively.¹ After the passing of this Act the right and duty to appoint teachers of public schools passing of shall be in the respective school boards having the management of the schools, who shall assign to them such salaries or emoluments as they think fit, and every appointment shall be during the pleasure of the school board.

> ¹ Teachers in office before the 6th of August 1872 are, by these words, effectually secured in all their privileges and emoluments, so long as they discharge their duties efficiently. Inefficient teachers, hitherto irremovable, can, by the provisions contained in section 60, now be easily removed. It is not improbable that a considerable number of teachers, both of parish and Parliamentary schools, whose best days are over, will take advantage of the provisions granting retiring allowances, and resign their offices.

Qualified teachers.

56. No person shall be appointed to the office of principal teacher in a public school who is not the holder of a certificate of competency. But any person who at the time of the passing of this Act is the principal teacher of a school under the recited Acts or any of them, or of a burgh school, or the holder of a certificate from, or registered as a certificated teacher by, the Lords of the Committee of Council on Education, or who is a teacher in a burgh school and a member of the council of a Scotch university, shall be deemed to be a holder of a certificate of competency.1

¹ Under this section the following existing teachers shall be deemed to be holders of certificates of competency:

1. Principal teacher of a parish, side, Parliamentary, or heritors' girls' school.

2. Principal teacher of a burgh school, or subordinate teacher of a burgh school, if he is a member of council of a Scotch university.

3. A holder of a certificate under the regulations of the Com-4. A registered certificate teacher

mittee of Council in Education. The object of this section is to provide that certificated teachers only shall be appointed as principal teachers in public schools. But in order that principal teachers of parish or burgh schools in office at the passing of the Act who are uncertificated may not be rendered ineligible, it is provided that they are to hold a sort of honorary rank as certificated teachers. They are to be considered as holders of what may be called "Parliamentary certificates." Any one who henceforth holds such certificate is eligible as a principal teacher of a public school. If he should

leave his public and be appointed to a non-public school, he could not A.D. 1872 claim the privileges of a certificated teacher, e.g. he could not take pupil teachers, nor could he bring Parliamentary grant to his school. The Scotch code may provide that the holder of a "Parliamentary certificate" shall be entitled to these privileges either with or without passing an examination. But the statute gives no status as a "certificated teacher."

As to conditions on which certificates are granted in England to teachers over thirty-five years of age who have been teachers in elementary schools, cf. p. xxxv, note 2.

57. It shall be the duty of the Scotch Education Depart- Examinament immediately after the passing of this Act, and thereafter tions of from time to time, to make such regulations as they may see teachers. fit in regard to the time and manner and the subjects and the standards of the examinations to be passed by such persons as desire to obtain a certificate of competency, and to regulate the conditions on which candidates may be admitted to examination, and the notice to be given thereof; and such examinations shall be conducted by examiners appointed by the Department from time to time, and shall be held at such times and places as shall be fixed by the Department.1

¹ The Department fix the standard, &c., of the examination for teachers in all public schools, except the higher class public schools that is to say, for all teachers whose schools are to receive Parliamentary grant. That is all the Department have to do with. Every teacher of a public school must hold a certificate of competency, or be deemed to hold such certificate, under § 56, as a minimum qualification. The school board may demand any other qualification they like, and appoint examiners to see that the teachers have these other qualifications. Practically the certificate of competency will be generally accepted as sufficient qualification.

It will be observed that the regulations as to the examinations for certificates of competency are to be made immediately after the passing of the Act, and that the duties connected with these examinations are to be discharged entirely by the Department. The Board have nothing to do with them.

58. Every candidate for a certificate of competency shall be Certifiexamined according to the regulations issued by the Scotch cates. Education Department, and the examiners shall satisfy themselves of his skill in the theory and practice of teaching, and make such report as to the result of the examination as may be required by the said Department, who may grant a certificate accordingly; and any certificate which may be granted by the said Department shall specify the class or degree of competency, and the subjects to which it applies, and shall be conclusive evidence that the holder thereof has passed the required examination, and has been found qualified for the said office in the class or degree or the subjects therein specified.

59. When a degree in arts or science of any university in may come the United Kingdom conferred after an examination in all or in place of any of the subjects specified by the Department as subjects for examina-

University degrees

A.D. 1872 the examination of candidates for a certificate of competency is held by any such candidate, the examiners may lawfully dispense with his examination in such of the said subjects as he has already been examined in on obtaining the degree.

Removal of 60. Any teacher of a public school appointed previously to teachers. the passing of this Act may be removed from his office in man-

ner following; that is to say,

- (1.) It shall be lawful to the school board of any parish or burgh to make a complaint to the sheriff of the county, charging any such teacher with immoral conduct or cruel or improper treatment of the scholars under his charge, and specifying in such complaint the particular acts in respect of which the complaint is made; and a copy of such complaint shall be served upon the teacher, who shall be required on an induciæ of eight days to appear before the sheriff to answer to the said complaint; and the teacher shall, if he deny the charge, and if he think fit, answer the particulars of the complaint in writing, or may plead generally that he is Not Guilty; and the sheriff shall thereafter proceed to the trial of the complaint, and take the evidence, in the manner observed in the Sheriff Court in taking proofs in civil causes; and if he shall find such complaint or any material and relevant part thereof to be proved, he shall give judgment accordingly, and pronounce sentence of deprivation, which sentence shall be final,
- and not subject to review: (2.) If the school board of any parish or burgh shall consider that any such teacher is incompetent, unfit, or inefficient, they may require a special report regarding the school and the teacher from Her Majesty's inspector charged with the duty of inspecting such school; and on receiving such report the school board may if they see cause remove such teacher from office; provided that before proceeding to give judgment on the matter they shall furnish to the teacher a copy of such report, and that a judgment removing the teacher shall not have effect until confirmed by the Board of Education: Provided also, that in the case of teachers of parish schools appointed previously to the passing of this Act who may be so removed, the school boards shall have the same powers of granting retiring allowances, and the teachers shall have the same rights to retiring allowances, as were vested in heritors and ministers and in parish schoolmasters respectively by sections

nineteen and twenty of the Parochial and Burgh School- A.D. 1872 masters (Scotland) Act, 1861, in the case of parish schoolmasters permitted or required to resign or dismissed or removed from office as therein provided.1

¹ The provisions regarding retiring allowances contained in §§ 19 and 20 of the Parochial and Burgh Schoolmasters (Scotland) Act, 1861, are

"Provided that where such resignation [resignation on report of one of H.M. Inspectors] shall not be occasioned by any fault on part of the schoolmaster—i.e., if he be disqualified because of infirmity or "old age-the heritors shall grant a retiring allowance the amount "whereof shall not be less than two third parts of the amount of the "salary pertaining to said office at the date of such resignation thereof, "and shall not exceed the gross amount of such salary, which retiring "allowance shall be payable in all respects in like manner with the

"salary of the schoolmaster."

"In all cases in which the minister and heritors are by this Act em-"powered to provide a retiring allowance for a schoolmaster who shall resign or shall be removed from his office, it shall be lawful for them, "if they see fit, to provide for such schoolmaster, in addition to such "allowance, and in like manner, a further yearly sum, equal in amount "to the annual value of any dwelling house and garden to which he may "be entitled as such schoolmaster, as the same shall be valued by the "assessor for the county."

61. A school board may permit any teacher of a public school Retiring to resign his office upon the condition of receiving a retiring allowance. allowance, and the said board may award and pay to such teacher out of the school fund such retiring allowance as they shall think fit: Provided always, that nothing herein contained shall effect

¹ The rights, namely, contained in the sections quoted above of the Parochial and Burgh Schoolmasters (Scotland) Act, 1861 (24 & 25 Vict. c. 107, §§ 19, 20).

the right under the existing law to a retiring allowance of any teacher appointed under the recited Acts, or any of them.1

62. With respect to burgh schools existing at the passing of Higher this Act, in which the education given does not consist chiefly class of elementary instruction in reading, writing, and arithmetic, schools. but of instruction in Latin, Greek, modern languages, mathe-Burgh. matics, natural science, and generally in the higher branches of knowledge, the following provisions shall have effect:

(1.) Such schools shall be deemed to be higher class public schools, and shall be managed by the school boards accordingly, with a view to promote the higher edu-

cation of the country: 1

1 The higher class schools, it will be observed, are to be managed with a view to promote the higher education of the country. The control of these schools is placed entirely in the hands of the school boards.

- A.D. 1872

 It is left to the discretion of school boards to fix the standard of qualification for higher class school teachers. If they determine to examine their teachers, the field from which they are to appoint examiners is limited to professors in Scotch universities or distinguished teachers. This limitation seems to imply that the Legislature did not contemplate any system of examinations for the teachers of these schools.
 - (2.) A school board having the management of any such school may from time to time fix the standard of qualification of all or any of the teachers to be appointed thereto, and determine the subjects of the examination to be passed by them respectively, and from time to time appoint examiners (who shall be professors of some Scotch university or teachers of distinction in a higher class public school) to conduct the same, and the foregoing enactments regarding certificates of competency shall not apply to teachers of higher class public schools whose qualifications have been fixed and ascertained under this provision; but any person who at the time of the passing of this Act, being a master in a higher class school, is a member of council of any of the universities of Scotland, shall be deemed to be the holder of a certificate of competency for the office of teacher in any of the said higher class schools:
 - (3.) The funds and revenues of such schools shall consist of, —1. Contributions payable from the common good of the burghs in which they respectively exist. 2. All endowments applicable to the general purposes of the respective schools. 3. Endowments for the promotion of instruction in particular subjects, or for the benefit of teachers of particular branches in the respective schools; and, 4. Fees paid by scholars. And the whole funds and revenues of any such school shall be administered exclusively for the purposes thereof, and the fees of each school shall be paid to the treasurer of the board, who shall keep a separate account thereof, and the full amount of the fees shall be divided and distributed among the teachers as the board shall determine; 2 and the Board of Education shall be entitled from time to time to require from the school board a statement of the funds and revenues of each school and of the application of the same:

^{The importance of this provision is, that the system which prevails in many burgh schools by which each teacher struggles against his colleagues for his own fees will come to an end. The fees will be paid to the treasurer, who will form a common fund of them and the other}

sources of revenue belonging to the school, out of which the emoluments A.D. 1872 of the teachers will be paid as the school board determine. The Assistant Commissioners, on the state of education in the burgh and middle class schools in Scotland, report against the existing system, and give their reasons at length.—General Report of Assistant Commissioners, 1868, ch. vi. p. 91, &c.

- (4.) A school board having the management of any such school shall, so far as practicable and expedient, subject to the approval of the Board of Education, relieve the same of the necessity of giving elementary instruction in reading, writing, and arithmetic to young children, by otherwise providing sufficient public school accommodation for such elementary instruction, so that the funds and revenues of such higher class school, and the time of the teachers, may be more exclusively applied to giving instruction in the higher branches:
- The meaning of this provision is, that elementary instruction should be confined to elementary schools, and that the whole power of the higher class schools should be devoted to giving instruction in the more advanced branches of knowledge. This can only be carried out in towns or other considerable centres of population. In country districts it is probable that the higher branches will continue to be taught as heretofore in the parish schools. But if these provisions be enforced in the larger towns in accordance with the spirit of the measure, a radical change will take place in the system of instruction in those burgh schools which are henceforth to be regarded as higher class public schools. The effects of the change will be felt in the universities. Students will go to the universities better grounded in the elements of the higher subjects, than heretofore, and professors will be relieved of the burden of elementary drill in their junior classes.
 - (5.) The fees to be paid for attendance at any such school shall be fixed from time to time, but at intervals of not less than three years, by the principal teacher and the ordinary teachers thereof, with the approval of the school board, subject to the determination of the Board of Education in the event of difference of opinion:
 - (6.) Every such school shall, with reference to the higher branches of knowledge taught therein, be annually examined by examiners appointed and employed for that purpose by the school board, and in fixing the periods of examination regard shall be had to the reasonable wishes of the head master and other teachers, and the expenses incident to the said examinations may be paid out of the school fund, 4 and

A.D. 1872

the houses of such schools shall be deemed school-houses within the meaning of the clause of this Act regarding the borrowing of money on the security of the school fund and school rate.⁵

4 The terms of this enactment are general. Every year, at a time which the teachers consider suitable, every higher class school must be examined, and the expenses paid out of the school fund. But the school boards may have these examinations conducted in any way they think proper—e.g., the school boards of two or three or all of the burghs in which these schools exist, might institute competitive examinations between their several schools, and appoint the same examiners to conduct the examinations. The intention of the statute seems to be that there should, each year, be an efficient examination of these schools, for the encouragement of the higher branches of knowledge, and that the way of carrying out this intention should be left to the wisdom of the school boards.

⁵ The clause empowering school boards to borrow on the security of the school fund and school rate is § 45. It is only just to give this power to school boards. Hitherto the expense of repairing and enlarging the burgh school buildings was upon the town council and magistrates. Now that the connection between the burgh schools and the town councils is at end, the latter could not be expected to provide the funds

for the school buildings.

The schools specified in Schedule C. hereto annexed shall be deemed to be higher class public schools to which the foregoing provisions apply; and it shall be lawful for the school board of any burgh by resolution at a meeting specially called for the purpose on fourteen days notice in writing to each member thereof, to resolve, subject to the approval of the Board of Education, that any school under its management shall be deemed to be a higher class public school, to be managed according to the foregoing provisions.

Higher class public schools.-Parish.

63. When from the existence of any endowment or foundation in whatever form, or in whatever terms, or from any other cause, a parish school existing at the passing of this Act is in the condition of being a school in which instruction in the higher branches of knowledge is given to such extent, and to such a number of scholars, that it is not reasonably to be considered as chiefly an elementary school, it shall be lawful for the school board having the management thereof by resolution passed and approved of in manner provided in the preceding clause with reference to burgh schools, to resolve that it shall be deemed to be a higher class public school, to be managed according to the provisions of the foregoing section, and thereafter such school shall be subject to the said provisions so far as applicable to the circumstances thereof.

Funds.

64. No part of the funds or revenues of a higher class public school within the meaning of the preceding clauses shall

pass into the school fund, and no part of the expenses of any A.D. 1872 such school, except as herein otherwise specially provided, shall be paid out of that fund.2

1 That is, (a) the expense of the annual examinations; (b) of repairing, enlarging, &c., the school building.

With regard to the higher class public schools, cf. Summary, p. xxxvii-xli.

65. All orders, minutes, certificates, notices, requisitions, Evidence and documents of the Scotch Education Department, if pur- of orders, porting to be signed by a secretary or assistant secretary of the Departsaid Department, or by any officer of the Department in Scot-ment. land, performing the duties of a secretary or assistant secretary, shall, unless the contrary is proved, be deemed to have been so signed and to have been made by the Scotch Education De-

partment.

- 66. Every public school, and every school which is subject Inspecto inspection, shall be open at all times to the inspection of any tion. of Her Majesty's inspectors, but it shall be no part of the duties of such inspector to inquire into any instruction in religious subjects, or to examine any scholar in religious knowledge or in any religious subject or book.1
- ¹ A list of H.M. Inspectors, with the districts assigned to them, will be found in the Appendix, p. 178.
- 67. Parliamentary grants according to the rates 1 and under Parliathe conditions contained in the minutes of the Scotch Education mentary Department in force for the time may be made-

(1.) To any school board for and in respect of the public

schools under their management:

(2.) To the managers of any school which is, in the opinion of the Scotch Education Department, efficiently contributing to the secular education of the parish or burgh in which it is situated; provided that such conditions shall not give any preference or advantage to any school on the ground that it is or is not pro-

vided by a school board.

Provided, that due care shall be taken by the Scotch Education Department, in the construction of such minutes, that the standard of education which now exists in the public schools shall not be lowered, and that, as far as possible, as high a standard shall be maintained in all schools inspected by the said Department, and provided that no such minute shall be in force until it has lain for not less than one month on the table of both Houses of Parliament.

Provided also, that parliamentary grants shall not be made for or in respect ofA.D. 1872

(a.) Instruction in religious subjects:

(b.) A school established after the passing of this Act, not being a public school, unless the said Department shall after due inquiry be satisfied that no sufficient provision exists for the children for whom the school is intended, regard being had to the religious belief of their parents, or that it is otherwise specially required in the locality where it is situated.

Where in any parish or burgh a school rate of not less than threepence ² in the pound on the rateable value of such parish or burgh shall be levied, and the whole produce of such rate is less than twenty pounds or than seven shillings and sixpence per child of the number of children in average attendance at the public schools provided by the school boards in such parish or burgh, such school board shall be entitled in addition to the parliamentary grant in aid of the public schools provided by them to such further sum out of moneys provided by Parliament as will, together with the produce of the rate, make up the sum of twenty pounds or seven shillings and sixpence for each such child.

No parliamentary grant shall be made in aid of building, enlarging, improving, or fitting up any school, except in pursuance of a written application from a school board, containing the information required by the Scotch Education Department for enabling them to decide thereon, and sent to the said Department on or before the thirty-first day of December one thousand eight hundred and seventy-three, but without prejudice to applications made prior to the passing of this Act being dealt with according to the existing laws; and with respect to any parish situated in the counties of Inverness, Argyll, Ross, and Orkney and Shetland, where a school rate of not less than ninepence in the pound on the rateable value of such parish has been levied, such grant as aforesaid may be made of an amount not exceeding three bundred pounds for each school and one hundred pounds for each teacher's residence, without regard to the amount contributed by the school board out of the school fund or otherwise, or by local subscription, towards the building, enlarging, improving, or fitting up such school or residence; and in any parish so situated where a school rate of not less than threepence in the pound on the rateable value of the parish has been levied, the annual parliamentary grant to a school shall not be reduced by its excess above the income of the school derived from fees, rates, and subscriptions.

¹ In England under the New Code of 1872, grants to day schools are paid according to the following rates, viz.:—

"Grants to Day Schools.—The managers of a school which has met A.D. 1872

"not less than 400 times, in the morning and afternoon, in the course
"of a year may claim—a, The sum of 6s. per scholar, according to the
"average number in attendance throughout the year; b, For every scho"lar, present on the day of examination, who has attended not less than
"250 morning or afternoon meetings of the school:—1. If above four,
"and under seven years of age at the end of the year, (a) 8s.; or (b)
"10s., if the infants are taught as a separate department, by a certifi"cated teacher of their own, in a room properly constructed and fur"nished for their instruction. 2. If more than seven years of age, 12s.,
"subject to examination, viz.—4s. for passing in reading; 4s. for pass-

"ing in writing; 4s. for passing in arithmetic."

"If the time-table of the school, in use throughout the year, has prowided for one or more specific subjects of secular instruction beyond what is embraced in the ordinary standards, a grant of 3s. per subject may be made for every day scholar presented in Standards IV.-VI. who passes a satisfactory examination in not more than two of such subjects. These specific subjects of secular instruction may be,—
"Geography, History, Grammar, Algebra, Geometry, Natural Philo-sophy, Physical Geography, the Natural Sciences, Political Economy, Languages, or any definite subject of instruction, extending over the classes to be examined in Standards IV., V., VI., and taught according to a graduated scheme, of which the inspector can report that it is well adapted to the capacity of the children, and is sufficiently distinct from the ordinary Reading Book Lessons to justify its description as a 'Specific subject of Instruction.' No grant may be claimed on account of any scholar who has been examined in the same subject, within the preceding year, by the Department of Science and Art."

"Reduction of Grant.—The grant is reduced by its excess above—1.
"The income of the school from fees, rates, and subscriptions; 2. The "rate of 15s. per scholar, according to the average number in attend"ance; and 3. One-half the expenditure on the annual maintenance of the school." A pupil-teacher must be employed for every forty scholars, after the first twenty, of the average number in attendance. A certificated assistant teacher is reckoned as equivalent to two pupil-

teachers.

In Scotland the grants will be made under the Scotch Code, which

will be found in the Appendix, p. 97.

² This provision does not limit the rate to 3d. in the £. To earn an extra grant 3d. in the £ must be levied, but in some cases, even with the extra grant, a higher rate than 3d. will be required.

The following cases in which extra grants will be paid are given in

the Summary (p. xxx):-

1. A parish with a rental of £8000 and a population of 1800. 3d in £1 = £100.

If ith of the population (as ought to be the case), were in attendance at the public schools = 300.

£100 ÷ by 300 = 6s. 8d. per child. 10d. per child would be given as extra grant to make up 7s. 6d. per child.

2. A parish with a rental of £1200 and a population of 180. 3d. in £1 = £15.

th of population = 30.

£15 ÷ 30 = 10s. per child. Nothing here would be required to make up the 7s. 6d. But £5 would be given as extra grant to make up £20.

A.D. 1872 Building grants, it will be observed, are given only on the application of a school board: and the application in the form required by the Department must be sent to the Department before December 31, 1873. School boards therefore have no time to lose in determining what new schools they propose to provide. No building grants will be made, except for public schools. Non-public schools may of course be built and carried on as heretofore. But no public money can be given to aid in the erection of them, and no annual grant can be given, except in cases where they are specially required in their locality.

Building grants to new public schools will be made in proportion to the funds raised locally, except in the country parishes of the Highland

counties specified in the section.

In these Highland counties a rate of 9d. in the pound, levied for one year, will secure a sum sufficient to supply the parish with new schools and teachers' houses whatever may be the amount of the local contribution.

In these counties, also, the full grant earned will be paid in respect of each school without any reduction, and irrespective of the income of the school raised locally by means of fees, rates, and subscriptions. Cf. footnote 1 to § 67, "Grants to Day Schools"—"Reduction of Grant." Cf. also Summary, p. xxix-xxxi, "Parliamentary grant."

Conscience clause.

68. Every public school, and every school subject to inspection and in receipt of any public money as herein-before provided,1 shall be open to children of all denominations, and any child may be withdrawn by his parents from any instruction in religious subjects and from any religious observance in any such school; 2 and no child shall in any such school be placed at any disadvantage with respect to the secular instruction given therein by reason of the denomination to which such child or his parents belong, or by reason of his being withdrawn from any instruction in religious subjects. The time or times during which any religious observance is practised or instruction in religious subjects is given at any meeting of the school for elementary instruction shall be either at the beginning or at the end, or at the beginning and at the end of such meeting, and shall be specified in a table approved of by the Scotch Education Department.

¹ These words limit the application of this clause to the schools in receipt of public money under this Act. If these words had not been inserted, Normal Schools—which are still denominational—would have been subject to the time-table conscience clause. These schools are subject to inspection, and are in receipt of public money, but not as "herein-before provided." They are not, therefore, affected by this Act.

2 Cf. Summary, p. xliii, note 2.

This clause, as the Bill passed the House of Commons, contained a provision in accordance with which secular instruction was to be given four hours each day continuously, and religious instruction was confined to the times before or after the four hours of secular instruction. The House of Lords altered this, and inserted the provision in the Act taken from the Elementary Education Act of 1870.

In England the regulations regarding the time-table are strictly enforced. The time-table must be approved by the inspector on behalf

of the Department. It must set apart for secular instruction at least A.D. 1872 two consecutive hours at each morning and afternoon meeting, and one hour and a half at each evening meeting of the school. No instruction in religious subjects may be given in any lesson during the hours fixed for secular instruction. No change in the time-table, so far as the time for religious instruction goes, can be made without the express sanction of the inspector. He ought to refuse to sanction any change during the school session, so that parents may know when to withdraw their children. If the school premises admit of it, the children withdrawn from religious instruction should receive by themselves instruction in secular subjects during the time they are withdrawn. The inspector, on any visit which he pays a school without notice, will report to the Department that the work of the school is not carried on in accordance with the time-table. Any neglect of the rules issued in regard to the time-table entails a forfeiture of grant. Cf. minute of the Scotch Education Department as to approval of time-tables. Appendix, p. 127.

At the end of clause 68 it was proposed to add words to exclude the use of all catechisms and formularies in schools. But the proposal was rejected by a large majority. The Lord Advocate observed that "the principle of the measure was that, subject to the provisions of "a conscience clause, the matter of religious teaching was one which "should be left to the people themselves, and that the statute should "neither prescribe nor proscribe anything upon the subject." Mr Forster said,—"To exclude the Catechism from the Scotch schools "would be an extraordinary and tyrannical change, and one entirely "contrary to the feeling of the Scotch people." An attempt was also made to insert words which would make it compulsory to teach the Bible in all public schools; but on a division the amendment was lost by a large majority.

School boards, therefore, may make any provision they think proper on the subject of religious instruction, provided that they conform to the conscience clause.

69. It shall be the duty of every parent to provide ele-Parents to mentary education in reading, writing, and arithmetic for provide his children, between five and thirteen years of age, and if tary eduunable from poverty to pay therefor, to apply to the paro-cation for chial board of the parish or burgh in which he resides, and their chilit shall be the duty of the said board to pay out of the poor when unfund the ordinary and rescandle fore for the day. fund the ordinary and reasonable fees for the elementary able to education of every such child, or such part of such fees as pay fees to the parent shall be unable to pay, in the event of such board parochial being satisfied of the inability of the parent to pay such fees, board. and the provisions of this clause shall apply to the education of blind children, but no such payment shall be made or refused on condition of the child attending any school in receipt of the parliamentary grant other than such as may be selected by the parent.1

¹ Parochial Board. As the Bill was framed, power was given to the school board to pay fees for poor children. The parochial board, however, was substituted, on the ground that it was inexpedient to erect a double machinery in towns for ascertaining the condition of persons belonging to the poorer classes. On two opposite proposals—(1) that the

A.D. 1872 selection of the school to which his children should be sent should be left to the parent; (2) that the parochial board should pay fees only to public schools, the Lord Advocate said—"From both these extremes "he differed. He thought the feelings of the parents ought to be "attended to and respected; but to say that pauper parents should be "entitled to dictate to the authorities what schools the children should "be sent to, without any reference to convenience or locality, was "absurd."

Defaulting parents may be proceeded the procurator fiscal on a certificate from the board.

70. It shall be the duty of every school board to appoint an officer to ascertain and report to the school board what parents, resident within the parish or burgh, have failed and against by omitted, and are failing and omitting, to perform the duty of providing for their children such elementary education as aforesaid, and it shall be the duty of such officer to keep the school board constantly informed of the names and designations of all such parents; and the clerk of the school board or some other appointed by the school board for that duty, shall keep, and from time to time revise, add to, and correct a list of all such parents and their children who have not received and are not in course of receiving such elementary education as aforesaid; and the school board is hereby authorised to summon any such parent to appear before the school board at any meeting thereof, and to require from him every information and explanation respecting his failure of duty with respect to the education of his child or children: and if he shall either fail to appear or on his appearance to satisfy the school board that he has not failed in such duty without reasonable excuse for such failure, and shall not undertake to the satisfaction of the school board to perform such duty by forthwith providing such elementary education as aforesaid for his children, it shall be lawful to and shall be the duty of the school board to certify in writing that he has been and is grossly and without reasonable excuse failing to discharge the duty of providing elementary education for his child or children, and on such certificate being transmitted to the procurator fiscal of the county or district of the county in which the parent resides, or other person appointed by the school board, he shall prosecute such parent before the sheriff of the county for such failure of duty as is in the certificate specified, and on conviction the parent shall be liable to a penalty not exceeding twenty shillings, or to imprisonment not exceeding fourteen days; 1 and such procedure as aforesaid may be repeated against the same parent, and in respect of a continuance of the same failure of duty, at intervals of not less than three months. All fines recovered under this clause shall be paid into the school fund.

¹ The penalty in the English Act is limited to 5s., with costs. But A.D. 1872 in that Act there is no limitation as to the times when proceedings against a parent may be repeated.

71. Every prosecution under the preceding section shall be Method of in the form prescribed by the "Summary Procedure (Scotland) procedure. "Act, 1864," and the judgment of the sheriff therein shall be final, and shall not be subject to the review of or the proceedings to be removed to any superior court upon the merits, or on informality or want of jurisdiction, or any other ground; and expenses not exceeding twenty shillings may be awarded by the sheriff against the parent complained of, but it shall not be lawful to award expenses against the procurator fiscal; and the reasonable expenses of the prosecution, as the same may be certified by the sheriff, shall, in so far as not awarded against and recovered from the parent, be paid by the school board on whose certificate it proceeded out of the school fund.

72. Any person who receives into his house as a domestic Employers servant, or who employs as a farm servant, or as a worker in of children a mine, factory, or workshop, or assistant in a shop, a child deemed to under the age of thirteen who has not attended school regu-undertake larly for at least three years between the ages of five and the duty of a pathirteen and is unable to read and write, and who continues rent, such child in his employment after notice from the school board of the parish or burgh, or an officer thereof, that he has not received elementary education, shall be deemed thereby to undertake the duty of a parent with respect to the elementary education of such child, so long as he remains in his employment, and shall be liable to be proceeded against, and to be fined or imprisoned as herein-before provided in the case of but parent a parent, should he grossly and without reasonable excuse fail not thereto perform such duty; but the duty of the parent shall not empted thereby be discharged or diminished, nor shall the parent be from liathereby exempted from liability to be proceeded against as bility. aforesaid.1

1 It will be observed that this provision does not prohibit a person from employing a child who had not been three years at school, and who could not read or write. It makes the employer subject to all the liabilities to which a parent is subject. The penalty is not imposed on the master for employing such children. It is imposed for continuing

to do so after notice from the school board.

73. A certificate of ability to read and write, and of a know- Exempledge of elementary arithmetic, granted in favour of any child tions. by one of Her Majesty's inspectors, shall exempt the parent

A.D. 1872 and all employers of such child from any prosecution or other proceeding under this Act for neglecting to provide for the education of such child.

Report by school board.

- 74. Every school board shall make such report and returns,1 and give such information to the Board of Education as the board may from time to time require.
- ¹ If a school board fail to make any return required, the Board may appoint a person to make it at the expense of the school board. Cf. § 33, p. 22,

Annual report.

- 75. The Scotch Education Department shall in every year cause to be laid before both Houses of Parliament a report of their proceedings under this Act during the preceding year; and such report shall contain a special report upon each school erected or established after the passing of this Act, not being a public-school, which in the opinion of the said Department is entitled to receive parliamentary grant.1
 - ¹ Under the provisions of § 67.

The regisform certain duties imposed upon the schoolmaster of a parish.

- 76. The duties imposed upon the schoolmaster of a parish trar to per- by the Act of the forty-second year of the reign of King George the Third, chapter ninety-one, and by the Act of the seventh year of the reign of King William the Fourth and the first year of the reign of Her present Majesty, chapter eighty-three, and by the Act of the eighth and ninth years of the reign of Her present Majesty, chapter thirty-three, and any other duties not relating to teaching which according to any law or statute in force at the date of the passing of this Act are imposed upon the schoolmaster of a parish, shall be performed by the schoolmaster of the parish in office at the date of the passing of this Act, so long as he continues to be teacher of a public school in the parish; and upon his ceasing to be teacher of a public school in the parish the said duties shall be performed by the registrar appointed for such parish, or for the registration district in which the whole or the greater part thereof is comprised under the provisions of the Act of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter eighty; and the said registrar shall do and perform all acts and things required by any such law or statute to be done and performed by such schoolmaster in the manner and subject to the conditions, and with the rights specified by such law or statute, as if he were the officer appointed by such law or statute to do and perform the same.1
 - ¹ Cf. Summary, p. xxxvi, notes 2, 3, and 4.

77. Every person who at the time of the passing of this A.D. 1872 Act is a contributor to the fund regulated by the Act ninth and tenth Victoria, chapter two hundred and twenty-six, inti- This Act tuled "An Act for better raising and more securely constitut- not to "ing the fund for the relief of widows and children of burgh and School. " parochial schoolmasters in Scotland," shall, whether he con- masters tinue in the school of which he is now teacher or be appointed Widows Fund Act, teacher of any parish or burgh school by or under this Act, 9 & 10 remain liable to all the obligations and be entitled to all the Vict. c. benefits to which he would have been liable and entitled if this ²²⁶. Act had not been passed, and if the constitution of parish and burgh schools had not been altered by this Act: Provided always, that nothing in the said Act or this Act contained shall oblige any person who shall be hereafter appointed a teacher of any parish or burgh school to contribute to the said fund unless he be a contributor at the time of the passing of this Act.¹

78. The recited Acts 1 of the first Parliament of King Repeal of William, in the year one thousand six hundred and ninety-six, Acts at of the forty-third year of the reign of His Majesty King George with this the Third, chapter fifty-four, and of the twenty-fourth and twentyfifth years of the reign of Her present Majesty, chapter one hundred and seven, shall be and are hereby repealed, and all other Acts, in so far as inconsistent with the provisions of this Act, are also hereby repealed; provided always, that the assessments authorised and required to be imposed and levied by the said recited Acts, or any of them, shall continue to be imposed and levied according to the said Acts and the law as existing prior to the passing of this Act, to the extent and effect of imposing and levying in each parish in the course of the year immediately ensuing the passing of this Act an assessment equal in amount to that which was imposed and levied in such parish in the course of the year immediately preceding the passing of this Act, and that the proceeds thereof shall be expended according to the provisions of the existing law by the authorities now charged with the administration thereof until school boards shall be elected for the respective parishes, when any portion of the said proceeds which shall then remain unexpended shall be handed over to the said school boards respectively; and further, provided that no vacancy in the office of teacher under the said recited Acts, or any of them, or in the office of teacher in a burgh school, occurring after the passing of this Act, shall be filled up, except under the provisions of this Act. But should a vacancy occur in a parish or burgh before a school board has been elected therefor, it shall be lawful for and shall be the duty of the managers of the school in

¹ Schoolmasters' Widows' Fund, cf. p. xxxvi.

A.D. 1872 which it occurs, to make due provision for the temporary discharge of the duties of the vacant office until it can be filled under this Act; 2 and provided, that any sum payable to a schoolmaster prior to the passing of this Act, under the Act of the first and second years of the reign of Her present Majesty, chapter eighty-seven, shall continue to be paid to him so long as he holds the office of schoolmaster on account of which such sum was payable to him, and shall thereafter be paid to the school board of the parish in which he held such office, for the purposes of the school fund.3

¹ For summary of provisions of repealed Acts, p. xlvi, notes 2 and 3, and p. xlvii, note 1. The Acts in full will be found in the Appendix.

² The duties of the old managers of the parish and other schools under the recited Acts, and of the burgh schools, are thus limited to— 1. Levying the same assessment as was levied for the year immedi-

ately preceding the passing of the Act, and expending the proceeds un-

der the provisions of the old law, until school boards are elected.

2. In the case of a vacancy in the office of teacher, making provision for the temporary discharge of the duties of the vacant office, till it can be filled up according to this Act.

3 The words printed in italies are repealed by the Highland Schools Act. 1872 which will be found in the Appendix p. 180 (Cf. p. v. lyriii)

Act, 1873, which will be found in the Appendix, p. 130. (Cf. p. xlviii, note 1.)

Saving of rights, &c.

79. Nothing contained in this Act shall interfere with or diminish the powers, rights, and privileges of the trustees of Dr John Milne's bequest, for the promotion of education in the county of Aberdeen, and parish of Banchory-Devenick, in the administration and management of that bequest, or deprive any of the schools entitled at the passing of this Act to participate in said bequest of their right to do so in future, and the grants made by said trustees from the funds under their management, shall continue as heretofore to be paid over by them to the teachers whom they may select to receive the same.

Short title. 80. This Act may be cited for all purposes as "The Educa-

tion (Scotland) Act, 1872."

SCHEDULE A.

A.D. 1872

Schedule of Towns.

Name of Town.		Municipal or Managing Body.
Girvan		Bailies and councillors. Town council and commissioners. Commissioners of police. Bailies, treasurer, and councillors. Trustees. Commissioners of police. Commissioners. Bailie and councillors.

SCHEDULE B.

General Rules respecting Election of Members of a School Board subsequent to the First Election.

1. The number of members 1 of the school board shall be such number not less than five nor more than fifteen as may be determined by the Scotch Education Department with respect to each parish and burgh, and, within the said limits, the number of the members of any school board may before any triennial election be changed by the said Department.

2. The electors shall consist of all persons being of lawful age, and not subject to any legal incapacity, whose names are entered on the latest valuation roll applicable to the parish or burgh for which the board is to be elected, made up and completed not less than one month prior to the election, as owners or occupiers of lands or heritages of the annual value of not less than four pounds, situated within such parish or burgh; and the valuation roll, or a certified copy thereof, shall be conclusive evidence that the persons therein named had, and continue to have, the qualifications annexed to their names respectively in the said roll.

3. The chairman of the school board shall be the returning

- a.p. 1872 officer, and failing him, some person appointed by the school
 board.2
 - 4. The election shall be held at such times, and in such manner, and in accordance with such rules and directions as the Scotch Education Department may from time to time by order prescribe, and the Scottish Education Department may, by order, appoint or direct the appointment of any officers requisite for the purpose of such election, and do all other necessary things preliminary or incidental to such election.
 - 5. All expenses incident to the election of a school board (but not including the expenses of any candidate) in any parish or burgh shall be paid by the said school board out of the school fund.
 - 6. At every election every voter shall be entitled to a number of votes equal to the number of the members of the school board to be elected, and may give all such votes to one candidate or may distribute them among the candidates as he sees fit.
 - ¹ The members of the school board going out of office, may be reelected to the new school board.
 - ² If the chairman proposes to stand for re-election, the school board should appoint the returning officer, who should not be the chairman.

SCHEDULE C.

Name of Burgh.	
berdeen . yr . Dumfries dinburgh ligin . lasgow . Iaddington fontrose raisley . erth . tirling .	

APPENDIX.

T.

LANDS CLAUSES CONSOLIDATION (SCOTLAND).1 8 VICT. c. 19.

An Act for consolidating in One Act certain Provisions usually inserted in Acts authorising the taking of Lands for Undertakings of a public Nature in Scotland.—[8th May 1845.]

And with respect to the purchase of lands by agreement, be it enacted as follows :-

Power to purchase Lands by Agreement.

6. Subject to the provisions of this and the special Act,2 it shall be lawful for the promoters of the undertaking³ to agree with the owners of any lands by the special Act authorised to be taken, and which shall be required for the purposes of such Act, and with all parties having any right or interest in such lands, or by this or the special Act enabled to sell and convey the same, for the absolute purchase of any such lands, or such parts thereof as they shall think proper, and for the purchase of all rights and interests in such lands of what kind soever.

Parties under Disability enabled to sell and convey.

7. It shall be lawful for all parties, being possessed of any lands, or any such right or interest therein, to contract for, sell, convey, and dispose of such lands, or of such right therein, to the promoters of the undertaking, and to enter into all necessary agreements for these purposes, and particularly it shall be lawful for the parties following so to do;

land) Act.
4 "Lands" includes houses, tenements, and heritages of any description or

¹ Cf. § 37, p. xxii and 23; also § 40.

² Special Act—viz., Education (Scotland) Act, 1872.

³ The promoters of the undertaking" shall, for the purposes of this enactment, mean the school board of any parish or burgh.

§ 37 of Education (Scotland)

(that is to say,) all corporations, heirs of entail, life-renters, or persons holding any other partial or qualified estate or interest, married women seised in their own right or entitled to terce or dower, or any other right or interest, husbands, tutors, curators, and other guardians for infants, minors, lunatics or idiots, fatuous or furious persons, or for persons under any other disability or incapacity, judicial factors, trustrees or feoffees in trust for charitable or other purposes, executors, and administrators; and the power so to contract for, sell, convey, and dispose of as aforesaid may lawfully be exercised by all such parties, not only on behalf of themselves and their respective heirs, executors, administrators, and successors, but also for and on behalf of every person entitled in reversion or expectancy after them, and as to such married women as if they were sole, and as to such tutors, curators, guardians, judicial factors, and trustees, on behalf of those for whom they respectively act, whether infants, minors, issue unborn, bankrupts, lunatics, idiots, fatuous and furious persons, married women, or other incapacitated persons, and that to the same extent as such infants, minors, bankrupts, lunatics, idiots, fatuous and furious persons, married women, and other incapacitated persons respectively could have exercised the same power under the authority of this and the special Act if they had respectively been under no disability.

Parties under Disability may exercise other Powers.

8. The power herein-after given to discharge any lands from feu duties or casualties of superiority, as well as every other power required to be exercised by any superior pursuant to the provisions of this or the special Act, or any Act incorporated therewith, and the power to discharge lands from any rent, payment, charge, feu duties, ground annuals, or other real burdens or incumbrances, and to agree for the apportionment of any such rent, payment, charge, feu duties, ground annuals, or other real burdens and incumbrances, shall extend to and may lawfully be exercised by every party herein-before enabled to contract for, sell, dispose of, or convey lands or rights or interests therein to the company.

Amount of Compensation, in case of Parties under Disability, to be ascertained by Valuation, and paid into the Bank.

9. The purchase money or compensation to be paid for any lands, or any rights or interests therein, to be purchased or taken from any party under any disability or incapacity, and not having power to sell or convey such lands, or rights or interests therein, except under the provisions of this or the special Act, and the compensation to be paid for any permanent damage or injury to any such lands, shall not, except where the same shall have been determined by the sheriff, or by the verdict of a jury, or by arbitration, or by the valuation of a valuator appointed by the sheriff under the provision herein-after contained, be less than shall be determined by the valuation of two able practical valuators, one of whom shall be nominated by the promoters of the undertaking, and the other by the other party, and if such two valuators cannot agree in the valuation then by such third valuator as the

¹ Sheriff includes sheriff-substitute.

sheriff shall, upon application of either party, after notice to the other party, for that purpose nominate; and each of such two valuators, if they agree, or if not, then the valuator nominated by the said sheriff, shall annex to the valuation a declaration in writing, subscribed by them or him, of the correctness thereof; and all such purchase money or compensation shall be deposited in the bank, for the benefit of the parties interested, in manner herein-after mentioned.

Where Vendor absolutely entitled Lands may be sold on Feu Duties, &c.

10. It shall be lawful for all parties entitled to dispose of absolutely any lands authorized to be purchased for the purposes of the special Act to convey such lands or any part thereof unto the promoters of the undertaking in consideration of an annual feu duty or ground annual payable by the promoters of the undertaking.

Payment of which to be charged on Tolls.

11. The feu duties or ground annuals stipulated by any such conveyance shall be charged on the tolls or rates, if any, payable under the special Act, and shall be otherwise secured in such manner as shall be agreed between the parties, and shall be paid by the promoters of the undertaking as such feu duties or ground annuals become payable; and if at any time the same be not paid within thirty days after they so become payable, and after demand thereof in writing, the person to whom any such feu duties or ground annuals shall be payable may either recover the same from the promoters of the undertaking, with expenses of suit, by action in any competent court, or it shall be lawful for him to levy the same by poinding and sale of the goods and effects of the promoters of the undertaking.

Power to purchase Lands required for additional Accommodation.

12. In case the promoters of the undertaking shall be empowered by the special Act to purchase lands for extraordinary purposes, it shall be lawful for all parties who, under the provisions herein-before contained, would be enabled to sell, feu, and convey lands, to sell, feu, and convey the lands so authorized to be purchased for extraordinary purposes.

Authority to sell and repurchase such Lands.

- 13. It shall be lawful for the promoters of the undertaking to sell the lands which they shall have so acquired for extraordinary purposes, or any part thereof, in such manner and for such considerations and to such persons as the promoters of the undertaking may think fit, and again to purchase other lands for the like purposes, and afterwards sell the same, and so from time to time, but the total quantity of land to be held at any one time by the promoters of the undertaking for the purposes aforesaid shall not exceed the prescribed quantity.
- 1 "The bank" means any one of the incorporated or chartered banks in Scotland.

Restraint on Purchase from incapacitated Persons.

14. The promoters of the undertaking shall not, by virtue of the power to purchase land for extraordinary purposes, purchase or acquire more than the prescribed quantity from any party under legal disability, or who would not be able to sell or convey such lands, except under the powers of this and the special Act; and if the promoters of the undertaking purchase or acquire the said quantity of land from any party under such legal disability, and afterwards sell or dispose of the whole or any part of the land so purchased, it shall not be lawful for any party, being under legal disability, to sell or convey to the promoters of the undertaking any other lands in lieu of the land so sold or disposed of by them.

Capital to be subscribed before compulsory Powers of Purchase put in force.

15. Where the undertaking is intended to be carried into effect by means of a capital to be subscribed by the promoters of the undertaking, the whole of the capital of the company or estimated sum for defraying the expenses of the undertaking shall be subscribed under contract binding the parties thereto, their heirs, executors, and administrators, for the payment of the several sums by them respectively subscribed before it shall be lawful to put in force any of the powers of this or the special Act, or any Act incorporated therewith, in relation to the compulsory taking of land for the purposes of the undertaking.

A Certificate of the Sheriff to be Evidence that the Capital has been subscribed.

16. A certificate, under the hands of the sheriff, certifying that the whole of the prescribed sum has been subscribed, shall be sufficient evidence thereof; and on the application of the promoters of the undertaking, and the production of such evidence as such sheriff thinks proper and sufficient, such sheriff shall grant such certificate accordingly.

SCHEDULE (A.)

Form of Conveyance.

I of in consideration of the sum of paid to me [or, as the case may be, into the Bank (or to A.B. of two trustees appointed to receive the same)], pursuant to an Act passed, &c., inituled, &c., by the [here name the company], incorporated by the said Act, do hereby sell, alienate, dispone, convey, assign, and make over from me, my heirs and successors, to the said company, their successors and assignees, for ever, according to the true intent and meaning of the said Act, all [describing the premises to be conveyed], together with all rights and pertinents thereto belonging, and all such right, title, and interest in and to the same as I and my foresaids are or shall become possessed of, or are by

the said Act empowered to convey. [Here insert the conditions (if any) of the conveyance, and a registration clause for preservation and diligence, and a testing clause, according to the form of the law of Scotland.]

SCHEDULE (B.)

Form of Conveyance in Consideration of Feu Duty or Rent-Charge.

I of in consideration of the feu duty or rent to be paid to me, my heirs and assigns, as herein-after mentioned, by the [here name the company], established and incorporated by virtue of an Act passed, &c., initiuled, &c., do hereby dispone, convey, and make over from me, my heirs and successors, to the said company, their successors and assignees, for ever, according to the true intent and meaning of the said Act, all [describing the premises to be conveyed], together with all rights and pertinents thereunto belonging, and all my right, title, and interest in and to the same and every part thereof, they the said company, their successors and assignees, yielding and paying unto me, my heirs and assignees, one clear annual feu duty or rent of by equal half-yearly portions henceforth on the [stating the days. Here insert conditions of the conveyance (if any), and insert a registration clause for preservation and diligence, and a testing clause, according to the form of the law of Scotland.

II.

CLAUSES OF POOR LAW (SCOTLAND) ACTS RELATING TO ASSESSMENTS, 8 & 9 Vict. c. 83.1

An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in Scotland.—[4th August 1845.]

Modes of imposing Assessment.

34. And be it enacted, That when the parochial board of any parish or combination shall have resolved to raise by assessment the funds requisite, such board shall, either at the same meeting or at an adjournment thereof, or at a meeting to be called for the purpose, resolve as to the manner in which the assessment is to be imposed; and it shall be lawful for any such board to resolve that one half of such assessment shall be imposed upon the owners, and the other half upon the tenants or occupants of all lands and heritages within the parish or combination rateably according to the annual value of such lands and heritages, or to resolve that one half of such assessment shall be imposed upon the owners of all lands and heritages within the parish or combination accord-

¹ Cf. § 44, p. xxv and 27.

ing to the annual value of such lands and heritages, and the other half upon the whole inhabitants, according to their means and substance, other than lands and heritages situated in Great Britain or Ireland, or to resolve that such assessment shall be imposed as an equal percentage upon the annual value of all lands and heritages within the parish or combination, and upon the estimated annual income of the whole inhabitants from means and substance other than lands and heritages situated in Great Britain or Ireland; and when the parochial board shall have resolved on the manner in which the assessment is to be imposed, such resolution shall be forthwith reported to the Board of Supervision for approval; and if the manner of assessment so resolved upon shall be approved by the Board of Supervision, the same shall be adopted and acted upon in such parish or combination, and shall not be altered or departed from without the sanction of the Board of Supervision; and if the Board of Supervision shall disapprove of the manner of assessment so resolved upon as aforesaid, the parochial board shall, upon such disapproval being intimated, forthwith meet and resolve upon another mode of imposing the assessment consistent with law, and shall report such resolution to the Board of Supervision; and the manner of imposing the assessment so resolved upon shall be adopted and acted upon in such parish or combination, and shall not be altered or departed from without the sanction of the Board of Supervision.

Assessment may be imposed according to local Act or established Usage.

35. And be it enacted, That if at the date of this Act an assessment for the poor shall in any parish or parishes be imposed according to the provisions of any local Act, or according to any established usage, it shall be lawful for the parochial board or boards of such parish or parishes to resolve that the assessment in such parish or parishes shall be imposed according to the rule established by such local Act or usage; and such resolution, if approved of by the Board of Supervision, shall continue to be acted upon in such parish or parishes, and shall not be altered or departed from without the sanction of the Board of Supervision.

Parochial Boards may classify Lands.

36. And be it enacted, That where the one half of any assessment is imposed on the owners, and the other half on the tenants or occupants of lands and heritages, it shall be lawful for the parochial board, with the concurrence of the Board of Supervision, to determine and direct that the lands and heritages may be distinguished into two or more separate classes, according to the purposes for which such lands are used and occupied, and to fix such rate of assessment upon the tenants or occupants of each class respectively, as to such boards may seem just and equitable.

Annual Value defined,

37. And be it enacted, That in estimating the annual value of lands and heritages, the same shall be taken to be the rent at which one year

¹ Repealed by 24 & 25 Vict., c. 37, infra, p. 63.

with another such lands and heritages might in their actual state be reasonably expected to let from year to year, under deduction of the probable annual average cost of the repairs, insurance, and other expenses, if any, necessary to maintain such lands and heritages in their actual state, and all rates, taxes, and public charges payable in respect of the same: Provided always, that no mine or quarry shall be assessed unless it has been worked during some part of the year preceding the day on which the assessment may be ordered to be levied.

Roll of Persons liable to Assessment to be made up.

38. And be it enacted, That when the parochial board of any parish or combination shall have resolved as aforesaid to raise by assessment the funds requisite, and when the manner in which the assessment is to be imposed shall have been fixed, and the sum to be so raised for the year or half year then ensuing shall have been ascertained, such parochial board shall make up or cause to be forthwith made up a book containing a roll of the persons liable in payment of such assessment, and of the sums to be levied from each of such persons, distinguishing the sums assessed in respect of ownership or occupancy, or means and substance; and the book or roll so made up shall be the rule for levying the assessment for the year or half year then ensuing; and the parochial board shall appoint one or more fit and qualified persons to be collector or collectors of the assessments, and shall fix the amount of remuneration to be given to every such collector; and it shall be competent to nominate and appoint the same person who is an inspector of the poor to be collector of the assessment, and to fix the amount of remuneration to be given to such person for the performance of the additional duties of collector of the assessment.

Amount of Assessment payable by each Person to be intimated.

39. And be it enacted, That as soon as may be after such book or roll is made up as aforesaid the collector shall intimate to each person the amount of the sum to be levied from him, and the time when the same is payable.

Parochial Boards to fix annually the Amount of Assessment, and make up Roll of Ratepayers.

40. And be it enacted, That before the expiration of one year from the date at which the first assessment under the provisions of this Act shall have been imposed as aforesaid in any parish or combination, and yearly or half-yearly thereafter, the parochial board of every such parish or combination shall fix and determine the amount of assessment for the year or half year then next ensuing, and shall make up or cause to be made up a book containing a roll of the persons liable in payment of such assessment, and of the sums to be levied from each of such persons; and the roll so made up shall be the rule for levying the assessment for the year or half year then next ensuing; and the collector shall forthwith intimate to each person the amount of the sum to be levied from him, and the time when the same is payable:

Power to correct Errors ; .

Provided always that it shall be lawful for the parochial board of any such parish or combination, if there shall have been found to exist any error in the sum or sums to be levied by way of assessment, or any omissions or surcharges in respect of the persons liable to pay the same, to cause such error, omission, or surcharge to be corrected at their next or any subsequent meeting after such error, omission, or surcharge shall have been discovered: Provided also, that nothing herein contained shall preclude any person who considers himself aggrieved by such assessment from his remedy by law in the like form and on the same grounds as, at the date of the passing of this Act, was competent to any party who considered himself aggrieved by assessment imposed under the Statutes then in force for relief of the poor, but to the extent and effect only of exempting himself from payment of any surcharge which may have been made upon him.

And impose additional Assessments.

41. And be it enacted, That if the assessment imposed for any year or half year shall, from any unforeseen or other circumstances, prove insufficient, it shall be lawful for the parochial board of such parish or combination to meet and impose such further and additional assessment as may be sufficient to raise the sum required.

Power to Parochial Boards to exempt on the Ground of Inability.

42. And be it enacted, That it shall be lawful for the parochial board of any parish or combination to exempt from payment of the assessment or any part thereof, to such an extent as may seem proper and reasonable, any persons or class of persons on the ground of inability to pay.

Power to levy from Tenants the Assessment on Owners.

43. And be it enacted, that where the one half of any assessment is imposed on the owners, and the other half on the tenants or occupants, of lands and heritages, it shall be competent for the collector of such assessment to levy the whole thereof, from the tenants or occupants, who shall be entitled to recover one half thereof from the owners, or to retain the same out of their rents, on production of a receipt granted by the collector of such assessment.¹

¹ The provisions in this section are modified by § 31 of the Valuation Act (17 & 18 Vict., c. 91).

The words of the section are as follows:—"In all cases where any lands or heritages shall be separately let at a rent not amounting to four pounds per annum, and the names of the occupiers thereof shall not have been inserted in the valuation roll, the proprietor of such lands and heritages shall be charged with and have to pay the whole of the assessments on such lands and heritages separately let as aforesaid; but every such proprietor charged with and paying such assessment shall have relief against the tenants and occupiers of such lands and heritages for reimbursements thereof, if and in so far as such assessments may by law be properly chargeable upon such tenant or occupiers."

Long Lease Holders to be considered Owners.

44. And be it enacted, that in all landward as well as all burghal parishes and combinations where houses have been or shall be built by the tenant of any land held under a building lease upon such land, the tenant and his heirs and assignees in such lease shall for the purposes of this Act be deemed and taken to be the owners of such houses.

Canals and Railways how to be assessed.

45. And be it enacted, That in cases where any canal or railway shall pass through or be situate in more than one parish or combination, the proportion of the annual value thereof, on which such assessment shall be made for each such parish or combination shall be according to the number of miles or distance which such canal or railway passes through or is situated in each parish or combination in proportion to the whole length.

The same Property not to be assessed in Two Parishes.

46. And be it enacted, That the owners and occupiers of lands and heritages shall not be liable to be assessed in respect of such lands and heritages for the relief of the poor in more than one parish or combination.

Companies or Individuals to be assessed in certain cases.

47. And be it enacted, That if in any parish or combination in which an assessment is imposed on means and substance any company or any individual shall occupy any lands and heritages, or shall carry on any trade or business in any premises within such parish or combination, such company and the partners thereof, and such individual, shall be liable to be assessed in such parish or combination on their or his means and substance derived from or relating to such occupancy, trade, or business, although none of the partners of such occupany, nor such individual, should be actually resident in such parish or combination; and such company and partners, and such individual, shall not be liable to be assessed on the same means and substance in any other parish or combination:

Means and substance not to be assessed in more than One Parish.

And if any person shall be assessed in any parish or combination upon his means and substance, other than means and substance derived from or relating to the occupancy of lands and heritages within such parish or combination, or the carrying on of trade or business in premises within such parish or combination, such person shall not be assessed upon the same means and substance in any other parish or combination; and if any person shall reside in and be liable to be assessed as an inhabitant of more than one parish, it shall be optional to such person to determine in which of such parishes he shall be assessed on his means and substance, other than means and substance derived from and relating to the occupancy of lands and heritages, or the carrying on of trade or business in premises within any particular parish.

Means and Substance under £30 not to be assessed.

48. And be it enacted, That no person shall be liable to be assessed in any parish or combination on his means and substance unless the estimated annual value thereof in whole shall exceed thirty pounds.

Stipends may be assessed.

49. And be it enacted, That clergymen shall be liable to be assessed for the poor in respect of their stipends.

Certain Privileges of Exemption to cease.

50. And be it enacted and declared, That the privileges of exemption from payment of assessments in the city of *Edinburgh*, possessed and enjoyed by members of the College of Justice and officers of the Queen's household, shall not be applicable to assessments imposed and levied for the relief of the poor under the authority of this Act.

Assessment not to be void from Error or Misnomer.

51. And be it enacted, that where any assessment shall have been imposed by the parochial board of any parish or combination, such assessment shall be payable at the time or times and in the proportions to be appointed by the parochial board; and no assessment shall be rendered void or affected by reason of any mistake or variance in the Christian or surname or designation of any person chargeable therewith, but all assessments shall be valid and effectual against the person intended to be charged, and bona fide liable in payment of the same.

Assessments for the Poor may be recovered summarily as Land and Assessed Taxes.

88. And be it enacted, That the whole powers and right of issuing summary warrants and proceedings, and all remedies and provisions enacted for collecting, levying, and recovering the land and assessed taxes, or either of them, and other public taxes, shall be held to be applicable to assessments imposed for the relief of the poor; and the Sheriffs, Magistrates, Justices of the Peace, and other judges may grant the like warrants for the recovery of all such assessments in the same form and under the same penalties as is provided in regard to such land and assessed taxes and other public taxes: Provided always, that it shall nevertheless be competent to prosecute for and recover such assessments by action in the Sheriff's Small Debt Court; and all assessments for the relief of the poor shall, in case of bankruptcy or insolvency, be paid out of the first proceeds of the estate, and shall be preferable to all other debts of a private nature due by the parties assessed.

24 and 25 Vict. c. 37.

An Act to simplify the Mode of raising the Assessment for the Poor in Scotland.—[22d July 1861.]

Whereas it is expedient to simplify the mode of imposing the assessment for raising the funds for the relief of the poor in Scotland: Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

So much of Sect. 34 of 8 & 9 Vict. c. 83 as to Means and Substance Mode of Asssessment abolished.

1. From and after the first day of January one thousand eight hundred and sixty-two so much of section thirty-four of the act of the eighth and ninth years of her Majesty, intituled An Act for the amendment and better administration of the laws relating to the relief of the poor in Scotland, as makes it lawful for any parochial board of any parish or combination of parishes in Scotland to raise one half of the funds requisite for the relief of the poor persons entitled to relief from the parish or combination by assessment upon the owners of all lands and heritages within the parish or combination, according to the annual value of such lands and heritages, and the other half upon the whole inhabitants, according to their means and substance, other than lands and heritages situated in Great Britain and Ireland, or to raise such funds by assessment, imposed as an equal per-centage upon the annual value of all lands and heritages, within the parish or combination, and upon the estimated annual income of the whole inhabitants from means and substance, other than lands and heritages situated in Great Britain or Ireland, is hereby repealed; and every Parochial Board of any parish or combination of parishes now raising such funds in terms of the parts of the said recited Act which are hereby repealed as aforesaid shall, before ceasing to raise such funds, and within two months after the passing of this Act, resolve to adopt the first mode of assessment specified in section thirty-four of the recited Act, and to classify lands and heritages equitably in terms of the thirty-sixth section of the said recited Act, and shall forthwith report such resolution to the Board of Supervision, which is hereby authorised and required to determine whether or not the classification so resolved on is equitable, and in the event of their considering the classification thereby made is not equitable, to vary or alter the same as to them shall seem just; and until the said first mode of assessment so resolved on, with relative classification, shall have been approved of by the Board of Supervision, the assessment for relief of the poor in any parish where the classification may not be approved of shall continue to be raised according to the mode now in operation in such parish; and after the proposed classification in any parish shall have been approved of by the Board of Supervision, it shall not be altered or departed from without the sanction of the said Board : Provided always, that nothing in this Act shall be construed to prevent the parochial board of any parish or combination of parishes from collecting any such assessments actually imposed prior to the first day of January one thousand eight hundred and sixty-two, according to the mode legally in force in the parish or combination at the date when such assessments were imposed.

25 and 26 Vict. c. 82.

An Act for the more economical Recovery of Poor Rates and other Local Rates and Taxes.—[7th August 1862.]

WHEREAS it is expedient to provide for the more economical recovery of poor rates and other local rates and taxes: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Consolidation of Proceedings for the Recovery of Rates.

1. Where any number of local rates and taxes, whether of the same or of different kinds, are due from the same person, the rates and taxes so due may be included in the same information, complaint, summons, order, warrant, or other document required by law to be laid before justices or to be issued by justices, and every such document as aforesaid shall, as respects each rate or tax comprised in it, be construed as a separate document, and its invalidity as respects any one rate or tax shall not affect its validity as respects any other rate or tax comprised in it:

No costs shall be allowed in respect of several informations, complaints, summonses, orders, warrants, or other such documents as aforesaid, in cases where, in the opinion of the justices or court having jurisdiction over the said costs, one information, complaint, summons, order, warrant, or other document as aforesaid might have sufficed, regard being had to the provisions of this Act.

III.

[COMMISSIONERS CLAUSES. INCORPORATED SECTIONS, 10 Vict. c. 16.1

An Act for consolidating in One Act certain Provisions usually contained in Acts with respect to the Constitution and Regulation of Bodies of Commissioners appointed for carrying on Undertakings of a public Nature. [23d April 1847.]

Mortgages.

And with respect to the mortgages to be executed by the commissioners, be it enacted as follows:

¹ Cf. § 45, p. xxvi, and 28 and 29, note 1.

Form of Mortgages.

75. Every mortgage or assignation in security of rates or other property authorised to be made under the provisions of this or the special Act shall be by deed duly stamped, in which the consideration shall be duly stated; and every such deed shall be under the common seal of the commissioners² if they be a body corporate,³ or if they be not a body corporate shall be executed by the commissioners or any five of them, and may be according to the form in the Schedule (B.) to this act annexed or to the like effect; and the respective mortgagees or assignees in security shall be entitled one with another to their respective proportions of the rates and assessments or other property comprised in such mortgages or assignations respectively, according to the respective sums in such mortgages or assignations mentioned to be advanced by such mortgagees or assignees respectively, and to be repaid the sums so advanced, with interest, without any preference one above another by reason of the priority of advancing such monies, or of the dates of any such mortages or assignations respectively.

Register of Mortgages to be kept, and to be open to Inspection.

76. A register of mortgages or assignations in security shall be kept by the clerk to the commissioners, and where by the special Act the commissioners are authorised or required to raise separate sums on separate rates or other property, a separate register shall be kept for each class of mortgages or assignations in security, and within fourteen days after the date of any mortgage or assignation in security an entry or memorial of the number and date thereof, and of the names of the parties thereto, with their proper additions, shall be made in the proper register; and every such register may be perused at all reasonable times by any person interested in any such mortgage or assignation in security without fee or reward.

Transfers of Mortgages.

77. Any person entitled to any such mortgage or assignation may transfer his right and interest therein to any other person; and every such transfer shall be by deed duly stamped, wherein the consideration shall be truly stated; and every such transfer may be according to the form in the schedule (C.) to this Act annexed, or to the like effect.

Register Transfers to be kept.

78. Within thirty days after the date of every such transfer, if executed within the United Kingdom, or otherwise within thirty days after the arrival thereof in the United Kingdom, it shall be produced to the clerk to the commissioners, and thereupon such clerk shall cause an entry or memorial thereof to be made, in the same manner as in the

¹ Special Act—i.e., Education (Scotland) Act, 1872.

^{2 &}quot;The school board which is borrowing shall be deemed to be the commissioners." § 45 of Education Act.

By § 22 of Education Act school boards are declared to be bodies corporate.

"Person" includes a corporation, whether aggregate or sole.

case of the original mortgage or assignation in security, and for such entry the clerk may demand a sum not exceeding five shillings; and after such entry every such transfer shall entitle the transferee, his executors, administrators, or assigns, to the full benefit of the original mortgage or assignation in security, and the principal and interest thereby secured; and such transferee may in like manner assign or transfer the same again, toties quoties: and it shall not be in the power of any person, except the person to whom the same shall have been last transferred, his executors, administrators, or assigns, to make void, release, or discharge the mortgage or assignation so transferred, or any money thereby secured.

Interest on Mortgages to be paid half-yearly.

79. Unless otherwise provided by any mortgage or assignation in security, the interest of the money borrowed thereupon shall be paid half-yearly to the several parties entitled thereto.

Power to borrow Money at a lower Rate of Interest to pay off Securities at a higher Rate.

80. If the commissioners can at any time borrow or take up any sum of money at a lower rate of interest than any securities given by them and then be in force shall bear, they may borrow such sum at such lower rate as aforesaid, in order to pay off and discharge the securities bearing such higher rate of interest, and may charge the rates and other property which they may be authorised to mortgage or assign in security under this or the special Act, or any part thereof, with payment of such sum and such lower rate of interest, in such manner and subject to such regulations as are herein contained with respect to other monies borrowed on mortgage or assignation in security.

Repayment of Money borrowed at a Time and Place agreed upon.

81. The commissioners may, if they think proper, fix a period for the repayment of all principal monies borrowed under the provisions of this or the special Act, with the interest thereof, and in such case the commissioners shall cause such period to be inserted in the mortgage deed or assignation in security; and upon the expiration of such period the principal sum, together with the arrears of interest thereon, shall, on demand, be paid to the party entitled to receive such principal money and interest, and if no other place of payment be inserted in such deed such principal and interest shall be payable at the office of the commissioners.

Repayment of Money borrowed when no Time or Place has been agreed upon.

82. If no time be fixed in the mortgage deed or assignation in security for the repayment of the money so borrowed, the party entitled to receive such money may, at the expiration or at any time after the expiration of twelve months from the date of such deed, demand pay-

ment of the principal money thereby secured, with all arrears of interest, upon giving six months previous notice for that purpose, and in the like case the commissioners may at any time pay off the money borrowed, on giving the like notice; and every such notice shall be in writing or print, or both, and if given by a mortgagee or creditor shall be delivered to the clerk or left at the office of the commissioners, and if given by the commissioners shall be given either personally to such mortgagee or creditor, or left at his residence, or if such mortgagee or creditor be unknown to the commissioners, or cannot be found after diligent inquiry, such notice shall be given by advertisement in the London Gazette if the office of the commissioners is in England, the Edinburgh Gazette if it is in Scotland, or in the Dublin Gazette if it is in Ireland.

Interest to cease on Expiration of Notice to pay off a Mortgage Debt.

83. If the commissioners shall have given notice of their intention to pay off any such mortgage or assignation in security at a time when the same may lawfully be paid off by them, then at the expiration of such notice all further interest shall cease to be payable thereon, unless, on demand of payment made pursuant to such notice or at any time thereafter, the commissioners fail to pay the principal and interest due at the expiration of such notice on such mortgage or assignation in security.

Monies borrowed on Security of Rates to be paid off in a limited Period.

84. In order to discharge the principal money borrowed as aforesaid on security of any of the rates, the commissioners shall every year appropriate and set apart out of such rates respectively a sum equal to the prescribed part, and if no part be prescribed one twentieth part of the sums so borrowed respectively, as a sinking fund to be applied in paying off the respective principal monies so borrowed, and shall from time to time cause such sinking fund to be invested in the purchase of exchequer bills or other government securities, or in Scotland deposited in one of the banks there incorporated by Act of Parliament or Royal Charter, and to be increased by accumulation in the way of compound interest or otherwise, until the same respectively shall be of sufficient amount to pay off the principal debts respectively to which such sinking fund shall be applicable, or some part thereof, which the commissioners shall think ought then to be paid off, at which time the same shall be so applied in paying off the same in manner herein-after mentioned.

Mode of paying off Mortgages.

85. Whenever the commissioners shall be enabled to pay off one or more of the mortgages or assignations in security which shall be then payable, and shall not be able to pay off the whole of the same class, they shall decide the order in which they shall be paid off by lot among the class to which such one or more of the mortgages or assignations in security belong, and shall cause a notice signed by their clerk to be given to the persons entitled to the money to be paid off.

pursuant to such lot, and such notice shall express the principal sum proposed to be paid off, and that the same will be paid, together with the interest due thereon, at a place to be specified, at the expiration of six months from the date of giving such notice.

Arrears of Interest, when to be enforced by Appointment of a Receiver.

86. Where by the special Act the mortgagees or assignees in security of the commissioners are empowered to enforce the payment of the arrears of interest, or the arrears of principal and interest, due to them, by the appointment of a receiver, then if, within thirty days after the interest accruing upon any such mortgage or assignation in security has become payable, and after demand thereof in writing, the same be not paid, the mortgagee or assignee in security may, without prejudice to his right to sue for the interest so in arrear in any of the superior courts, require the appointment of a receiver, by an application to be made as hereinafter provided;

Arrears of Principal and Interest.

And if within six months after the principal money owing upon any such mortgage or assignation in security has become payable, and after demand thereof in writing, the same be not paid, together with all interest due in respect thereof, the mortgagee or assignee in security, without prejudice to his right to sue for such principal money, together with all arrears of interest, in any of the superior courts, may, if his debt amount to the prescribed sum, alone, or, if his debt do not amount to the prescribed sum, he may, in conjunction with other mortgagees or assignees in security whose debts being so in arrear after demand as aforesaid, together with his, amount to the prescribed sum, require the appointment of a receiver, by an application to be made as hereinafter provided.

As to the Appointment of a Receiver.

87. Every application for a receiver in the cases aforesaid shall in England or Ireland be made to two justices, and in Scotland to the sheriff, and on any such application such justices or sheriff may, by order in writing, after hearing the parties, appoint some person to receive the whole or a competent part of the rates or sums liable to the payment of such interest, or such principal and interest, as the case may be, until such interest, or until such principal and interest, as the case may be, together with all costs, including the charges of receiving the rates or sums aforesaid, be fully paid; and upon such appointment being made all such rates and sums of money as aforesaid, or such part thereof as may be ordered by the said justices or sheriff, shall be paid to the person so to be appointed, and the money so paid shall be so much money received by or to the use of the party to whom such interest, or such principal and interest, as the case may be, shall be then due, and on whose behalf such receiver shall have been appointed, and after such interest and costs, or such principal, interest, and costs, have been so received, the power of such receiver shall cease.

Account Books to be open to the Inspection of Mortgagees.

88. The books of account of the commissioners shall be open at all reasonable times to the inspection of the respective mortgagees or assignees in security of the commissioners, with liberty to take extracts therefrom, without fee or reward.

SCHEDULE (B.) Sect. 75.

Form of Mortgage.

By virtue of [here name the Special Act], we [here name the Corporation if the Commissioners be incorporated, or, if not incorporated, five of the commissioners,] appointed in pursuance of the said Act, in consideration of the sum of paid to the treasurer to the said Commissioners by A.B. of for the purposes of the said Act, do grant and assign unto the said A.B., his executors, administrators, and assigns, such proportion of the rates, rents, profits, and other monies arising or accruing by virtue of the said Act from [here describe the rates or other property proposed to be mortgaged] as the doth or shall bear to the whole sum said sum of which is or shall be borrowed upon the credit of the said rates, rents, profits, or monies, to hold to the said A.B., his executors, administrators, and assigns, from this day until the said sum of with interest at per centum per annum for the same, shall be fully paid and satisfied (the principal sum to be repaid at the years from the date hereof [in case any period be agreed upon for that purpose]). Given under our corporate seal [or, in witness whereof we have hereunto set our hands and seals, or, if the deed be granted in Scotland, insert the testing clause required by the law of Scotland, as the case may be, this day of one thousand eight hundred and

SCHEDULE (C.) Sect. 77.

Form of Transfer of Mortgage.

in consideration of the sum of I *A.B.* of paid to me by C.D. of do hereby transfer to the said C.D., his executors, administrators, and assigns, a certain mortgage, [or, if the deed be granted in Scotland, a certain assignation in security,] made by the Commissioners for executing the [here number name the Special Act] to bearing date the day of for securing the sum of interest [or, if such transfer be by endorsement, the within security], and all my right, estate, and interest in and to the money thereby secured, and in and to the rates, rents, profits, or other monies thereby assigned. In witness whereof I have hereunto set my hand and seal [or, if the deed be granted in Scotland, insert the testing clause required by the law of Scotland], this day of one thousand eight hundred and

IV.

INDUSTRIAL SCHOOLS, 29 & 30 Vict. c. 118.1

An Act to consolidate and amend the Acts relating to industrial schools in Great Britain.—[10th August 1866.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PRELIMINARY.

Short Title.

1. This Act may be cited as The Industrial Schools Act, 1866.

Extent of Act.

2. This Act shall not extend to Ireland.

Acts described in First Schedule repealed.

3. The Acts described in the first Schedule to this Act are hereby repealed; but this repeal shall not affect the past operation of any such Act, or the force or operation of any certificate, order, rule, or sentence made or passed, or the validity or invalidity of anything done or suffered, or any right, title, obligation, or liability accrued, before the passing of this Act; nor shall this Act interfere with the institution or prosecution of any proceeding in respect of any offence committed against, or any penalty or forfeiture incurred under, any Act hereby repealed.

Interpretation of Terms.

4. In this Act-

The term "Justice" applies to England only, and means a Justice of the Peace having jurisdiction in the place where the matter re-

quiring the cognizance of a Justice arises:
The term "two Justices" applies to England only, and means two or more Justices in Petty Sessions, or the Lord Mayor or an Alderman of the city of *London*, or a Police or Stipendiary Magistrate or other Justice having by law authority to act alone for any purpose with the powers of two Justices:

The term "Magistrate" applies to Scotland only, and includes Sheriff, Sheriff Substitute, Justice of the Peace of a county, Judge in a

police court, and Provost or Baillie of a city or burgh:
The term "prison authority" with respect to England has the same
meaning as in the Prisons Act, 1865 [28 & 29 Vict. c. 126], and

¹ Cf. § 41, p. xxiii and 26.

with respect to Scotland means the administrators of a prison as defined by the Prisons (Scotland) Administration Act, 1860 [23 & 24 Vict. c. 105]:

The term "parish" includes a place separately maintaining its own poor.

INDUSTRIAL SCHOOLS.

Description of Industrial Schools and Managers.

5. A school in which industrial training is provided, and in which children are lodged, clothed, and fed, as well as taught, shall exclusively be deemed an industrial school within the meaning of this Act.

The persons for the time being having the management or control of such a school shall be deemed the managers thereof for the purposes of

this Act.

INSPECTOR.

Inspector of Industrial Schools and Assistant.

6. Such one of Her Majesty's inspectors of prisons as one of Her Majesty's Principal Secretaries of State (in this Act referred to as the Secretary of State) from time to time thinks fit to appoint to be the inspector of reformatory schools shall be also the inspector of industrial schools.

The Secretary of State may from time to time appoint a fit person to assist the inspector; and every person so appointed shall have such of the powers and duties of the inspector of industrial schools as the Secretary of State from time to time prescribes, but shall act under the direction of the inspector.

CERTIFIED INDUSTRIAL SCHOOLS.

Mode of certifying Industrial School.

7. The Secretary of State may, on the application of the managers of an industrial school, direct the inspector of industrial schools to examine into the condition of the school, and its fitness for the reception of children to be sent there under this Act, and to report to him thereon, and the inspector shall examine and report accordingly.

If satisfied with the report of the inspector the Secretary of State may, by writing under his hand, certify that the school is fit for the reception of children to be sent there under this Act, and thereupon the

school shall be deemed a certified industrial school.

School not to be certified as Industrial and Reformatory.

8. A school shall not be at the same time a certified industrial school under this Act and a certified reformatory school under any other Act.

Notices of Certificate to be gazetted.

9. A notice of the grant of each certificate shall within one month be

inserted by order of the Secretary of State in the London or in the Edinburgh Gazette, according as the school to which it refers is in England or in Scotland.

Copy of Gazette to be Evidence.

A copy of the Gazette containing the notice shall be conclusive evidence of the grant, which may also be proved by the certificate itself, or by an instrument purporting to be a copy of the certificate, and to be attested as such by the inspector of industrial schools.

Inspection of School.

10. Every certified industrial school shall from time to time and at least once in each year, be inspected by the inspector of industrial schools, or by a person appointed to assist him as aforesaid.

Alterations, &c. of Buildings to be approved.

11. No substantial addition or alteration shall be made to or in the buildings of any certified industrial school without the approval in writing of the Secretary of State.

Contribution by Counties and Boroughs to Establishment and Enlargement of Schools.

12. In England a prison authority may from time to time contribute such sums of money, and on such conditions as they think fit, towards the alteration, enlargement, or rebuilding of a certified industrial school,—or towards the support of the inmates of such a school,—or towards the management of such a school,—or towards the establishment or building of a school intended to be a certified industrial school,—or towards the purchase of land required either for the use of an existing certified industrial school, or for the site of a school intended to be a certified industrial school; provided,—

First, that not less than two months previous notice of the intention of the prison authority to take into consideration the making of such contribution, at a time and place to be mentioned in such notice, be given by advertisement in some one or more public newspaper or newspapers circulated within the district of the county or borough, and also in the manner in which notices relating to business to be transacted by the prison authority are usually given:

Secondly, that where the prison authority is the council of a borough, the order for the contribution be made at a special meeting of the council:

Thirdly, that where the contribution is for alteration, enlargement, rebuilding, establishment, or building of a school or intended school, or for purchase of land, the approval of the Secretary of State be previously given for that alteration, enlargement, rebuilding, establishment, building, or purchase.

In Scotland a county board may contribute to any certified industrial school with the consent and in the manner provided by the Prisons (Scotland) Administration Act, 1860, respecting contributions to refor-

matories.

Mode of obtaining Approval of Secretary of State.

13. In order to obtain the approval of the Secretary of State as aforesaid where required, the managers of the school, or promoters of the intended school, shall forward to the Secretary of State particulars of the proposed establishment or purchase, and a plan of the proposed alteration, enlargement, rebuilding, or building, drawn on such scale, and accompanied by such particulars and estimate of cost, as the Secretary of State thinks fit to require; and the Secretary of State may approve of the particulars and plan submitted to him, with or without modification, or may disapprove of the same, and his approval or disapproval shall be certified by writing under his hand.

CLASSES OF CHILDREN TO BE DETAINED IN CERTIFIED INDUSTRIAL SCHOOLS.

As to Children under 14 years of Age found begging, &c.

14. Any person may bring before two justices or a magistrate any child apparently under the age of fourteen years that comes within any of the following descriptions, namely,—

That is found begging or receiving alms (whether actually or under the pretext of selling or offering for sale any thing), or being in any street or public place, for the purpose of so begging or receiving alms;

That is found wandering and not having any home or settled place of abode, or proper guardianship, or visible means of subsistence; That is found destitute, either being an orphan or having a surviving parent who is undergoing penal servitude or imprisonment:

That frequents the company of reputed thieves.

The justices or magistrate before whom a child is brought as coming within one of those descriptions, if satisfied on inquiry of that fact, and that it is expedient to deal with him under this Act, may order him to be sent to a certified industrial school.¹

As to Children under twelve Years of Age charged with Offences.

15. Where a child apparently under the age of twelve years is charged

¹ Besides the classes of children enumerated here who may be sent to an industrial school, 'The Prevention of Crimes Act,' 1871 (34 & 35 Vict., c. 112), by § 14, provides that the children under fourteen years of age of a woman convicted under that Act may, under certain circumstances, be sent to an industrial school.

The section is as follows:-

"Where any woman is convicted of crime, and a previous conviction of a crime is proved against her, any children of such woman under the age of fourteen years who may be under her care and control at the time of her conviction for the last of such crimes, and who have no visible means of subsistence, or who are without proper guardianship, shall be deemed to be children to whom in Great Britain the provisions of 'The Industrial Schools Act, 1866,' apply; and the Court by whom such woman is convicted, or two justices or a magistrate, shall have the same power of ordering such children to be sent to a certified industrial school as is vested in two justices or a magistrate by the 14th section of 'The Industrial schools Act, 1866,' in respect of the children in the said section described."

before two justices or a magistrate with an offence punishable by imprisonment or a less punishment, but has not been in *England* convicted of felony, or in *Scotland* of theft, and the child ought, in the opinion of the justices or magistrate, (regard being had to his age and to the circumstances of the case,) to be dealt with under this Act, the justices or magistrate may order him to be sent to a certified industrial school.

As to refractory Children under fourteen Years of Age in Charge of Parent, &c.

16. Where the parent or step-parent or guardian of a child apparently under the age of fourteen years represents to two justices or a magistrate that he is unable to control the child, and that he desires that the child be sent to an industrial school under this Act, the justices or magistrate, if satisfied on inquiry that it is expedient to deal with the child under this Act, may order him to be sent to a certified industrial school.

As to refractory Children under fourteen Years of Age in Workhouses, Pauper Schools, &c.

17. Where the guardians of the poor of a union or of a parish wherein relief is administered by a board of guardians, or the board of management of a district pauper school, or the parochial board of a parish or combination, represent to two justices or a magistrate that any child apparently under the age of fourteen years maintained in a workhouse or pauper school of a union or parish, or in a district pauper school, or in the poorshouse of a parish or combination, is refractory, or is the child of parents either of whom has been convicted of a crime or offence punishable with penal servitude or imprisonment, and that it is desirable that he be sent to an industrial school under this Act, the justices or magistrate may, if satisfied that it is expedient to deal with the child under this Act, order him to be sent to a certified industrial school.

ORDER OF DETENTION.

Form and Contents of Order sending Child to School.

18. The order of justices or a magistrate sending a child to a school (in this Act referred to as the order of detention in a school) shall be in writing signed by the justices or magistrate, and shall specify the name of the school.

The school shall be some certified industrial school (whether situate within the jurisdiction of the justices or magistrate making the order or not) the managers of which are willing to receive the child; and the reception of the child by the managers of the school shall be deemed to be an undertaking by them to teach, train, clothe, lodge, and feed him during the whole period for which he is liable to be detained in the school, or until the withdrawal or resignation of the certificate of the school takes effect, or until the contribution out of money provided by Parliament towards the custody and maintenance of the children detained in the school is discontinued, whichever shall first happen.

The school named in the order shall be presumed to be a certified

industrial school until the contrary is shown.

In determining on the school the justices or magistrate shall endeavour to ascertain the religious persuasion to which the child belongs, and shall, if possible, select a school conducted in accordance with such religious persuasion, and the order shall specify such religious persuasion.

The order shall specify the time for which the child is to be detained in the school, being such time as to the justices or magistrate seems proper for the teaching and training of the child, but not in any case extending beyond the time when the child will attain the age of

sixteen years.

Temporary Detention in Workhouse, &c.

19. Two justices or a magistrate, while inquiry is being made respecting a child or respecting a school to which he may be sent, may, by order signed by them or him, order the child to be taken to the workhouse or poorshouse of the union, parish, or combination in which he is found or resident,—or where (in Scotland) there is no such poorshouse, or the poorshouse is at an inconvenient distance, to such other place, not being a prison, as the magistrate thinks fit, the occupier whereof is willing to receive him,—and to be detained therein at the cost of the union, parish, or combination for any time not exceeding seven days, or until an order is sooner made for his discharge or for his being sent to a certified industrial school; and the guardians of the poor for the union or parish, or the keeper of the poorshouse, or other person to whom the order is addressed, are and is hereby empowered and required to detain him accordingly.

Power to Parent, &c., to apply to remove Child to a School conducted in accordance with Child's Religious Persuasion.

20. If the parent, step-parent, or guardian, or if there be no parent, step-parent, or guardian, then the god-parent or nearest adult relative, of a child sent or about to be sent to a certified industrial school which is not conducted in accordance with the religious persuasion to which the child belongs, states to the justices or magistrate by whom the order of detention has been or is about to be made (or to two justices or a magistrate having the like jurisdiction) that he objects to the child being sent to or detained in the school specified or about to be specified in the order, and names another certified industrial school in *Great Britain* which is conducted in accordance with the religious persuasion to which the child belongs, and signifies his desire that the child be sent thereto, then and in every such case the justices or magistrate shall, upon proof of such child's religious persuasion, comply with the request of the applicant, provided,—

First, that the application be made before the child has been sent to a certified industrial school, or within thirty days after his arrival

at such a school:

Secondly, that the applicant show to the satisfaction of the justices or magistrate that the managers of the school named by him are willing to receive the child:

Provided always, with respect to Scotland, that if any child who has become chargeable to any parish, and who is under this section sent from Scotland to a school out of Scotland, might have been removed from Scotland (under any Act for the time being in force relating to the relief of the poor in Scotland) at the instance of the inspector of the poor of the parish to which he has become chargeable, had he not been sent out of Scotland under this section, then and in every such case the chargeability on such parish for such child shall cease on his being so sent out of Scotland.

Where Order to be for Detention in School of Parochial Board.

21. In Scotland where a magistrate is about to make or has made an order for sending a child to a certified industrial school, and the child is chargeable at the time to any parish, or has been so chargeable within three months then last past, and there is in that parish a certified industrial school maintained by the parochial board thereof, and conducted in accordance with the religious persuasion to which the child belongs, and the inspector of the poor of such parish certifies to the magistrate (or to a magistrate having the like jurisdiction) that he requires the child to be sent to the certified industrial school in such parish maintained by the parochial board thereof, and conducted in accordance with the religious persuasion to which the child belongs, then and in every such case the magistrate shall direct the child to be sent to the last-mentioned school accordingly, the inspector of the poor defraying the expense of conveying the child thither; provided that where the order of detention has been made, the application of the inspector to the magistrate be made within fourteen days of the day of the making of the order.

Order to be Warrant for Conveyance and Detention.

22. The order of detention in a school shall be forwarded to the managers of the school with the child, and shall be a sufficient warrant for the conveyance of the child thither, and his detention there.

Expenses of Conveyance to School.

23. The expense of conveying to a certified industrial school, a child ordered to be sent there, shall be defrayed by the police authorities by whom he is conveyed, and shall be deemed part of the current expenses of those police authorities.

Evidence of Order of Detention.

24. An instrument purporting to be an order of detention in a school, and to be signed by two justices or a magistrate, or purporting to be a copy of such an order, and to be certified as such a copy by the clerk to the justices or magistrate by whom the order was made, shall be evidence of the order.

MANAGEMENT OF SCHOOL.

Religious Instruction in School.

25. A minister of the religious persuasion specified in the order of detention as that to which the child appears to the justices or magistrate to belong, may visit the child at the school on such days and at such times as are from time to time fixed by regulations made by the Secretary of State, for the purpose of instructing him in religion.

Lodging Child out of School.

26. The managers of a school may permit a child sent there under this Act to lodge at the dwelling of his parent or of any trustworthy and respectable person, so that the managers teach, train, clothe, and feed the child in the school as if he were lodging in the school itself, and so that they report to the Secretary of State, in such manner as he thinks fit to require, every instance in which they exercise a discretion under this section.

Licence for living out of School.

27. The managers of a school may, at any time after the expiration of eighteen months of the period of detention allotted to a child, by licence under their hands, permit him to live with any trustworthy and respectable person named in the licence, and willing to receive and take charge of him.

Any licence so granted shall not be in force for more than three months, but may at any time before the expiration of those three months be renewed for a further period not exceeding three months, to commence from the expiration of the previous period of three months, and so from time to time until the period of the child's detention is expired.

Any such licence may also be revoked at any time by the managers of the school by writing under their hands, and thereupon the child to whom the licence related may be required by them, by writing under

their hands, to return to the school.

The time during which a child is absent from a school in pursuance of a licence shall, except where such licence has been forfeited by his misconduct, be deemed to be part of the time of his detention in the school, and at the expiration of the time allowed by the licence, he shall be taken back to the school.

A child escaping from the person with whom he is placed under a licence, or refusing to return to the school on the revocation of his licence, or at the expiration of the time allowed thereby, shall be deemed to have escaped from the school.

Power to apprentice Child.

28. The managers of a school may, at any time after a child has been placed out on licence as aforesaid, if he conducted himself well during his absence from the school, bind him, with his own consent, apprentice to any trade, calling, or service, notwithstanding that his period of detention has not expired, and every such binding shall be valid and effectual to all intents.

Rules of School to be approved by Secretary of State.

29. The managers of a certified industrial school may from time to time make rules for the management and discipline of the school, not being inconsistent with the provisions of this Act; but those rules shall not be enforced until they have been approved in writing by the Secretary of State; and rules so approved shall not be altered without the like approval.

A printed copy of rules purporting to be the rules of a school so approved, and to be signed by the inspector of industrial schools, shall

be evidence of the rules of the school.

Evidence as to Reception in School, &c.

30. A certificate purporting to be signed by one of the managers of a certified industrial school or their secretary, or by the superintendent or other person in charge of the school, to the effect that the child therein named was duly received into and is at the signing thereof detained in the school, or has been duly discharged or removed therefrom, or otherwise disposed of according to law, shall be evidence of the matters therein stated.

Liability to Removal not affected by Stay at School.

31. The time during which a child is detained in a school under this Act, shall for all purposes be excluded in the computation of time mentioned in section one of the Act of the session of the ninth and tenth years of Her Majesty's reign (chapter sixty-six), " to amend the "laws relating to the removal of the poor," as amended by any other Act.

OFFENCES AT SCHOOL, &c. Refusal to conform to Rules.

32. If a child sent to a certified industrial school, and while liable to be detained there, being apparently above ten years of age, and whether lodging in the school itself or not, wilfully neglects or wilfully refuses to conform to the rules of the school, he shall be guilty of an offence against this Act, and on summary conviction thereof before two justices or a magistrate, shall be liable to be imprisoned, with or without hard labour, for any term not less than fourteen days and not exceeding three months, and the justices or magistrate before whom he is convicted, may direct him to be sent at the expiration of the term of his imprisonment to a certified reformatory school, and to be there detained subject and according to the provisions of the Reformatory Schools Act, 1866 [29 and 30 Vict. c. 117].

Penalty on Child escaping from School.

33. If a child sent to a certified industrial school, and while liable to be detained there, and whether lodging in the school itself or not,

escapes from the school, or neglects to attend thereat, he shall be guilty of an offence against this Act, and may at any time before the expiration of his period of detention be apprehended without warrant, and may (any other Act to the contrary notwithstanding) be then brought before a justice or magistrate having jurisdiction in the place or district where he is found, or in the place or district where the school from which he escaped is situate; and he shall thereupon be liable, on summary conviction before such a justice or magistrate, to be, by and at the expense of the managers of the school, brought back to the same school, there to be detained during a period equal to so much of his period of detention as remained unexpired at the time of his committing the offence.

If the child charged with such an offence is apparently above ten years of age, then on his summary conviction of the offence before two such justices or such a magistrate, he shall be liable, at the discretion of the justices or magistrate, instead of being sent back to the same school, to be imprisoned with or without hard labour, for any term not less than fourteen days and not exceeding three months, and the justices or magistrate before whom he is convicted, may direct him to be sent at the expiration of the term of his imprisonment to a certified reformatory school, and to be there detained, subject and according to the provisions of the Reformatory Schools Act, 1866 [29 and 30 Vict. c.

117].

Penalty on Persons inducing Offenders to escape from Certified Industrial Schools.

34. If any person does any of the following things (that is to say)—First, knowingly assists, directly or indirectly, a child liable to be detained in a certified industrial school to escape from the school; Second, directly or indirectly induces such a child so to escape;

Third, knowingly harbours or conceals a child who has so escaped, or prevents him from returning to school, or knowingly assists in so doing,—

Every such person shall be guilty of an offence against this Act, and shall, on summary conviction thereof before two justices or a magistrate, be liable to a penalty not exceeding twenty pounds, or, at the discretion of the justices, to be imprisoned for any term not exceeding two months, with or without hard labour.

EXPENSES OF CHILDREN IN SCHOOLS.

Power to Treasury to contribute towards Custody, &c. of Children detained.

35. The Commissioners of Her Majesty's Treasury may from time to time contribute, out of money provided by Parliament for the purpose, such sums as the Secretary of State from time to time thinks fit to recommend towards the custody and maintenance of children detained in certified industrial schools; provided that such contributions shall not exceed two shillings per head per week for children detained on the application of their parents, step-parents, or guardians.

Power to Prison Authority to contract for Reception of Children in Schools.

36. In *England* a prison authority may contract with the managers of a certified industrial school for the reception and maintenance therein of such children as are from time to time ordered by justices to be sent there from the district of the prison authority.

Power to Guardians of Poor, &c. to contribute.

37. The guardians of the poor of a union or parish, or the board of management of a district pauper school, or the parochial board of a parish or combination, may from time to time, with the consent in *England* of the Poor Law Board, and in *Scotland* of the Board of Supervision, contribute such sums as they think fit towards the maintenance of children detained in a certified industrial school on their application.

Recovery of Cost of Maintenance in Schools in Scotland, when Parishes, &c., are liable.

38. In Scotland where a child sent to a certified industrial school under this Act is at the time of his being so sent, or within three months then last past has been, chargeable to any parish, the parochial board and inspector of the poor of the parish of the settlement of such child, if the settlement of the child is in any parish in Scotland, shall, as long as he continues so chargeable, be liable to repay to the Commissioners of Her Majesty's Treasury all expenses incurred in maintaining him at school under this Act to an amount not exceeding five shillings per week, and in default of payment those expenses may be recovered by the inspector of industrial schools, or any agent of the inspector, in a summary manner before a magistrate having jurisdiction in the place where the parish is situate.

Provided always, that nothing in this Act shall prevent any parochial board on whose funds the cost of support of any such child has become a charge from adopting such steps for the recovery of any sums which may have been paid by such parochial board for any such child against the parish of his settlement, or for his removal, as may be competent to them under any Act for the time being in force relating to the relief

of the poor in Scotland.

Contribution by Parent, &c.

39. The parent, step-parent, or other person for the time being legally liable to maintain a child detained in a certified industrial school shall, if of sufficient ability, contribute to his maintenance and training therein a sum not exceeding five shillings per week.

Order for Enforcement of Contribution by Parent, &c.

40. On the complaint of the inspector of industrial schools, or of any agent of the inspector, or of any constable under the directions of the inspector (with which directions every constable is hereby required to comply), at any time during the detention of a child in a certified

industrial school, two justices or a magistrate having jurisdiction at the place where the parent, step-parent, or other person liable as aforesaid resides may, on summons to the parent, step-parent, or other person liable as aforesaid, examine into his ability to maintain the child, and may, if they or he think fit, make an order or decree on him for the payment to the inspector or his agent of such weekly sum, not exceeding five shillings per week, as to them or him seems reasonable, during the whole or any part of the time for which the child is liable to be detained in the school.

Every such order or decree may specify the time during which the payment is to be made, or may direct the payment to be made until

further order.

In Scotland any such order or decree shall be held to be and to have the effect of an order or decree in each and every week for payment of the sum ordered or decreed to be paid for such week; and under the warrant for arrestment therein contained (which the magistrate is hereby authorized to grant if he sees fit), it shall be lawful to arrest weekly for payment of such weekly sum as aforesaid the wages of the defender due and current, and such arrestment shall attach not only to the wages due and payable to the defender at the date thereof, but also to the wages current for the week or other term or period in which such arrestment is executed, any law or statute notwithstanding.

Every such payment or a proper proportionate part thereof shall go in relief of the charges on Her Majesty's Treasury, and the same shall be accounted for as the Commissioners of Her Majesty's Treasury direct, and where the amount of the payment ordered in respect of any child exceeds the amount contributed by the Commissioners of Her Majesty's Treasury in respect of that child, the balance shall be accounted for and

paid to the managers of the school.

The Secretary of State may, in his discretion, remit wholly or par-

tially any payment so ordered.

Two justices or a magistrate having jurisdiction to make such an order or decree may from time to time vary any such order or decree as circumstances require, on the application either of the person on whom such order or decree is made, or of the inspector of industrial schools, or his agent, on fourteen days notice being first given of such application to the inspector or agent, or to such person respectively.

DISCHARGE, &c. OF CHILDREN FROM SCHOOL.

Detention to cease on Child attaining Sixteen.

41. A person who has attained the age of sixteen years shall not be detained in a certified industrial school except with his own consent in writing.

Transfer to another School by Secretary of State.

42. The Secretary of State may at any time order a child to be transferred from one certified industrial school to another, but so that the whole period of his detention be not thereby increased.

The Secretary of State may also at any time order a child being under sentence of detention in an industrial school established under any

other Act of Parliament, the general rules for the government whereof have been approved by the Secretary of State, to be transferred to a certified industrial school under this Act; and in that case the child shall after the transfer be deemed to be subject in all respects to the provisions of this Act, but so that the whole period of his detention be not by such transfer increased.

The Commissioners of Her Majesty's Treasury may pay, out of money provided by Parliament for the purpose, such sum as the Secretary of State thinks fit to recommend, in discharge of the expenses of the removal of any child transferred under the provisions of this Act.

Discharge by Secretary of State.

43. The Secretary of State may at any time order any child to be discharged from a certified industrial school or from any industrial school established under any other Act of Parliament, the general rules for the government whereof have been approved by the Secretary of State, either absolutely or on such condition as the Secretary of State approves, and the child shall be discharged accordingly.

WITHDRAWAL, &c. of CERTIFICATE OF SCHOOL

Power for Secretary of State to withdraw Certificate.

44. The Secretary of State, if dissatisfied with the condition of a certified industrial school, may at any time, by notice under his hand addressed to and served on the managers thereof, declare that the certificate of the school is withdrawn as from a time specified in the notice, not being less than six months after the date thereof; and at that time the certificate shall be deemed to be withdrawn accordingly, and the school shall thereupon cease to be a certified industrial school.

Resignation of Certificate by Managers.

45. The managers or the executors or administrators of a deceased manager (if only one) of a certified industrial school may give notice in writing to the Secretary of State of their intention to resign the certificate of that school, and at the expiration in the case of managers of six months, and in the case of executors or administrators of one month, from the receipt of that notice by the Secretary of State (unless before that time the notice is withdrawn) the certificate shall be deemed to be resigned accordingly, and the school shall thereupon cease to be a certified industrial school.

Gazetting and Evidence of Withdrawal, &c.

46. A notice of the withdrawal or resignation of the certificate of a certified industrial school shall within one month be inserted by order of the Secretary of State in the London or in the Edinburgh Gazette, according as the school is in England or Scotland.

A copy of the Gazette containing such notice shall be conclusive evidence of such withdrawal or resignation.

A certificate shall be presumed to be in force until the withdrawal or resignation thereof is proved.

Cesser of Reception of Children on Notice, &c.

47. Where notice is given of the withdrawal or resignation of the certificate of a certified industrial school no child shall be received into the school for detention under this Act after the receipt by the managers of the school of the notice of withdrawal, or after the date of the notice of resignation, as the case may be; but the obligation of the managers to teach, train, clothe, lodge, and feed any children detained in the school at the time of such receipt or at the date of such notice shall, except as far as the Secretary of State otherwise directs, be deemed to continue until the withdrawal or resignation of the certificate takes effect, or until the contribution out of money provided by Parliament towards the custody and maintenance of the children detained in the school is discontinued, whichever shall first happen.

Discharge of Children detained, &c.

48. Where a school ceases to be a certified industrial school the children detained therein shall be either discharged or transferred to some other certified industrial school by order of the Secretary of State.

Houses of Refuge, &c. in Scotland.

In Scotland, Power for Industrial Schools under Local Acts, &c. to receive Children.

49. Where in any city, town, or place in Scotland there has been erected, under Local Act of Parliament or otherwise, any house of refuge for destitute children or any industrial school, or other similar institution, the commissioners, directors, or managers thereof may receive and maintain therein, if willing to do so, all such children as are sent thereto under this Act, and may pay such portion of the fund under their control as they think proper for the training, maintenance, and disposal of such children; provided that such house of refuge, school, or institution is certified as an industrial school under this Act, and the rules thereof and all alterations thereof from time to time are approved by the Secretary of State.

EXPENSES OF PRISON AUTHORITIES, &c.

Expenses of Prison Authorities and County Boards, how defrayed.

50. Expenses incurred by a prison authority in *England* in carrying into effect the provisions of this Act shall be deemed expenses incurred by that authority in carrying into effect the provisions of the Prison Act, 1865, and shall be defrayed accordingly.

Expenses incurred by a county board in Scotland in carrying into effect the provisions of this Act shall be a charge on the assessment for current expenses incurred by that board in carrying into effect the provisions of the Prisons (Scotland) Administration Act, 1860.

MISCELLANEOUS.

Acts regulating Procedure.

51. The following Acts

In England, the Act of the Session of the eleventh and twelfth years of Her Majesty's reign (chapter forty-three), "to facilitate the "Performance of the Duties of Justices of the Peace out of "Sessions, within England and Wales, with respect to summary "Convictions and Orders," and any Acts amending the same;

In Scotland, The Summary Procedure Act, 1864,-Shall apply to all offences, payments, and orders in respect of which jurisdiction is given to Justices or a Magistrate by this Act, or which are by this Act directed to be prosecuted, enforced, or made in a summary manner or on summary conviction.

Use of Forms in Schedule.

52. No summons, notice, or order made for the purpose of carrying into effect the provisions of this Act shall be invalidated for want of form only; and the forms in the Schedule to this Act annexed, or forms to the like effect, may be used in the cases to which they refer, with such variations as circumstances require, and when used shall be deemed sufficient.

Service of Notices on Managers.

53. Any notice may be served on the managers of a certified industrial school by being delivered to any one of them personally, or by being sent by post or otherwise in a letter addressed to them or any of them at the school, or at the usual or last known place of abode of any of the managers, or of their secretary.

Application of Act to existing Certified Schools.

54. This Act shall apply to all certified industrial schools being such at the passing of this Act, and to all children sent thereto before the passing of this Act, but no child shall be detained at any industrial school, in pursuance of any order made before the passing of this Act, for a longer period than he would have been liable to be detained if this Act had not been passed.

The FIRST SCHEDULE.

ACTS REPEALED.

24 & 25 Vict. c. 113. The Industrial Schools Act, 1861. 24 & 25 Vict. c. 132. The Industrial Schools (Scotland) Act, 1861.

25 & 26 Vict. c. 10. An Act for continuing for a further limited time, and for extending the Operation of Orders made under the Industrial Schools Act, 1861, and the Industrial Schools (Scotland) Act, 1861.

The SECOND SCHEDULE.

FORMS.

(A.)

ORDER SENDING CHILD TO INDUSTRIAL SCHOOL.

BE it remembered, that on the day of to wit. In pursuance of The Industrial Schools Act, 1866, we, two of Her Majesty's Justices of the Peace for the said [county] of , do order that A.B. of (whose religious persuasion appears to us to be), being a child subject to the provisions of section of the said Act, be sent to the certified industrial school at , and that he be detained there during (Signed) L.M.

 $(Signed) \qquad L.M. \ N.O.$

(C.)

Complaint for Enforcing in England Contribution from Parent, &c.

THE complaint of the inspector of industrial schools [or as the to wit.] case may be made to us the modernian Majesty's Justices of the Peace for the said county of in day of the same county, who says, That one A.B. of (*) the age of years, or thereabouts, is now detained in the Industrial School at in the county of under the Industrial Schools Act, 1866, and has been duly ordered and directed to be detained therein until the day of That one C.B. dwelling in the parish of in the county is the parent [or step-parent, &c.] of the said A.B., and is of sufficient ability to contribute to the support and maintenance of the said A.B., his son: (*) The said complainant therefore prays that the said C.B. may be summoned to show cause why an order should not be made on him so to contribute.

Exhibited before us,

C.D.

J.S. L.M.

(D.)

SUMMONS TO PARENT, &C.

(This will be in Form (A.) in Schedule to 11 & 12 Vict. c. 43.)

(E.)

ORDER ON PARENT, &c. TO CONTRIBUTE A WEEKLY SUM.

BE it remembered, That on this in the said [county] of a certain complaint of the inspector of industrial schools [or as the case may be, for that one A.B. of, &c. [stating the cause of complaint as in the Form (C.) between the asterisks (*) (*)], was duly heard by and before us, the undersigned, two of Her Majesty's Justices of the Peace in and for the said [county] of (in the presence and hearing of the said C.B. if so, or the said C.B. not appearing to the summons duly issued and served in this behalf); and we, having duly examined into the ability of the said C.B. and on consideration of all the circumstances of the case, do order the said C.B. to pay to the said inspector shillings [or to an agent of the said inspector] the sum of per week from the date of this order until the day of , the same to be paid at the expiration of each [fourteen, or as the case may be, days].

Given under our hands and seals, the day and year first above men-

tioned, at in the [county] aforesaid.

J.S. (L.S.) L.M.(LS.)

(F.)

DISTRESS WARRANT FOR AMOUNT IN ARREAR.

to wit. To the Constable of in the said [county] of , and to all other peace officers

WHEREAS on the hearing of a complaint made by the inspector of industrial schools, [or as the case may be], that A.B. of, &c. [stating the cause of complaint as in the Form (C.) between the asterisks (*) (*)], an order was made on the day of by us, the undersigned [or by L.M. and J.H.], two of Her Majesty's Justices of the Peace in and for the said [county] of against the said C.B., to pay to the said inspector [or as the case may be], the sum of

per week from the date of the said order until the , the same to be paid at the expiration of each [twentyeight] days [or as the case may be] (*): And whereas there is due upon being for [three] periods of [fourthe said order the sum of teen] days each, and default has been made therein for the space of fourteen days:

These are therefore to command you, in Her Majesty's name, forth-with to make distress of the goods and chattels of the said C.B., and if within the space of [five] days next after the making of such distress the said last-mentioned sum, together with the reasonable charges of taking and keeping the said distress, is not paid, that then you do sell the said goods and chattels so by you distrained, and do pay the money arising from such sale to the clerk of the Justices of the Peace for the of that he may pay and apply the same as by law directed, and may render the overplus (if any), on demand, to the said C.B.; and if no such distress can be found, then that you certify the same to us, to the end that such proceedings may be had therein as the law requires.

Given under our hands and seals, this

day of in the [county]

aforesaid.

J.S. (L.s.) L.M. (L.s.)

(G.)

COMMITMENT IN DEFAULT OF DISTRESS.

To the constable of and to the keeper of the to wit. { [prison] at in the said [county] of .
WHEREAS [&c., as in the Form (F.) to the single asterisk (*), and then

thus: And whereas afterwards, on the day of last, I, the undersigned, together with L.M., Esquire, or J.S. and L.M., Esquires], two of Her Majesty's Justices of the Peace in and for the said [county] of , issued a warrant to the constable of

aforesaid, commanding him to levy the sum of

due upon the said recited order, being for [three] periods of [fourteen] days, by distress and sale of the goods and chattels of the said C.B.:

And whereas a return has this day been made to me the said Justice [or the undersigned, one of Her Majesty's Justices of the Peace in and for the said [county] of ______], that no sufficient goods of the said C.B. can be found:

These are therefore to command you, the said constable of

to take the said C.B., and him safely to convey to the [prison] at aforesaid, and there deliver him to the keeper thereof, together with this precept: And I do hereby command you, the said keeper of the said [prison], to receive the said C.D. into your custody in the said [prison], there to imprison him for the term of unless the said sum, and all costs and charges of the said distress, and of the commitment and conveying of the said C.D. to the said [prison], amounting to the further sum of , shall be sooner paid unto you the said keeper; and for your so doing this shall be your sufficient warrant.

Given under my hand and seal, this in the year of our Lord , at in the [county] aforesaid.

J.S. (L.s.)

(H.)

Order in Scotland on Parent for Payment towards Maintenance of Child.

The Sheriff [or as the case may be] having considered the complaint of E.F., the inspector of industrial schools, made under the Industrial Schools Act, 1866, and having heard parties thereon [or, in absence of C.D., designing him, duly cited, but not appearing], pursuant to the said Act, decerns C.D. complained on, weekly and every week from the day of to pay to the said E.F., or to his agent from time to time authorised to receive the same, the sum of

shillings for the maintenance and training of A.B., son [or as the case may be] of the said C.D., now detained in the certified industrial school of under an order by

until the said child attains the age of sixteen years or is lawfully discharged from the said school, and grants warrant of arrestment to be executed by any constable or messenger at arms.

Given under my hand this

in the county aforesaid.

[Magistrate's Signature.]

NOTE ON STAMP DUTIES.1

The following summary of the principal provisions of "The Stamp Act, 1870" (33 & 34 Vict. c. 97), which may have any bearing on the provisious of the Education (Scotland) Act, has been prepared by

Mr James Sinclair, Accountant, Edinburgh.

[N.B.—In cases of doubt as to liability for stamp duty, the Commissioners of Inland Revenue, subject to such regulations as they may think fit to make, may be required by any person to express their opinion with reference to any executed instrument upon the following questions-

(a) Whether it is chargeable with any duty.

(b) With what amount of duty it is chargeable. 33 & 34 Vict. chap. 97, § 18.

Schedules of application are to be obtained from the solicitor's office, Waterloo Place, Edinburgh. These schedules contain full directions for bringing any executed instrument under the consideration of the Commissioners, and the Commissioners are guided in their decisions by the law officers of the crown.

To save unnecessary correspondence, the following quotation from an official letter, dated Somerset House, 16th July 1872, may be given

"The Board direct me to acquaint you that it is contrary to their practice to reply to hypothetical questions. (Signed) W. Lomas."]

- 1. The Act may be cited as "The Stamp Act, 1870." 2 It came into operation on January 1, 1871.
- 2. "The Commissioners" mean the Commissioners of Inland Revenue.
 "Material" means and includes every sort of material upon which words or fignres can be expressed.
 - "Instrument" means and includes every written document.

"Person" includes company, corporation, and society.

¹ Cf. § 39, p. 25. ² The numbers refer to the sections of The Stamp Act, 1870. The omitted sections to Ecclesiastical, Legal, and Mercantile Stamps.

3. There shall be charged upon the several instruments specified in the Schedule to the Act, the duties in the Schedule, and no other duties.

5. Instruments relating to property belonging to the crown, or the private property of the sovereign, to be charged with the same duty as property belonging to a subject.

7. Every instrument to be written so that the stamp may appear on the face of it; and if more than one instrument, every one is to be

separately stamped.

9. A stamp appropriated to a particular instrument not to be available for another.

10. All facts and circumstances affecting ad valorem instruments to be fully and truly set forth; penalty ten pounds for neglect or omission.

- 15. Unstamped or insufficiently stamped instruments may be stamped after execution, on payment of unpaid duty; penalty ten pounds and interest.
- 16. Unstamped documents may be received as evidence in courts of civil judicature; on the order of the judge, payment of the duty, the penalty, and one pound additional.

17. No instrument shall be pleaded or given in evidence, or admitted to be good, useful, or available in law or equity, unless it is duly stamped.

- 18. The Commissioners may express their opinion on any executed instrument, as to whether it is chargeable with any duty, and with what amount of duty.
- 21. (1.) All public officers having in their custody any rolls, books, records, papers, documents, or proceedings, the inspection whereof may tend to secure any duty, or to the proof or discovery of any fraud or omission in relation to any duty, shall at all seasonable times permit any person thereunto authorised by the Commissioners to inspect all such rolls, books, records, papers, documents, and proceedings, and to take such notes and extracts as he may deem necessary, without fee or reward.

(2.) Every person who refuses to permit such inspection, shall for

every such refusal forfeit the sum of ten pounds.

22. If any person whose office it is to enrol, register, or enter in or upon any rolls, books, or records, any instrument chargeable with any duty, enrols, registers, or enters any such instrument not being duly

stamped, he shall forfeit the sum of ten pounds.

29. The duty payable under the Stamp Act upon an admission is to be denoted on the instrument of admission delivered to the person admitted, if there be any such instrument, or if not, on the register, entry, or memorandum of the admission in the rolls, books, or records of the court, inn, college, borough, burgh, company, corporation, guild, or society in which the admission is made, and in cases in which no instrument of admission is delivered, and no register, entry, or memorandum is made, on the rescript or warrant for admission.

30. If any person whose office it is to prepare or deliver out any instrument of admission chargeable with any duty, or to register, enter, or make any memorandum of any admission in respect of which no instrument of admission is delivered to the person admitted, neglects or refuses, within one month after the admission, to prepare a duly stamped instrument of admission, or to make a proper and duly stamped register, entry, or memorandum of the admission, as the case may re-

quire, he shall forfeit the sum of ten pounds.

33. Fees and emoluments appertaining to any office or employment are to be estimated upon an average of three years, or the best information that can be obtained.

34. Reappointment to any office or employment; to be charged in proportion to augmentation only; of salary, fees, and emoluments.

38. (1.) Every appraiser, by whom an appraisement or valuation is made, shall, within fourteen days after the making thereof, write out the same, in words and figures, showing the full amount thereof, upon duly stamped material; and if he neglects or omits so to do, or in any other manner delivers out, or states the amount of, any such appraisement or valuation, shall forfeit the sum of fifty pounds.

(2.) Any person who receives from any appraiser, or pays for the making of, any appraisement or valuation, unless the same be written out and stamped as aforesaid, shall forfeit the sum of twenty pounds.

39. Every writing relating to service or tuition, to learn any profes-

sion, &c., is to be deemed an instrument of apprenticeship. 1

40. The full sum of money, and the value of any other matter or thing, paid, given, or assigned, or secured to be paid, given, or assigned, to or for the benefit of the master, is to be fully and truly set forth under a penalty of twenty pounds, levied on the master, a full aged apprentice, and other contracting parties. The instrument shall be null and void if the details are not set forth.

70. The term "conveyance on sale" includes every instrument, and every decree or order of any court or of any commissioners, whereby any property upon the sale thereof is legally or equitably transferred to or vested in the purchaser, or any other person on his behalf or by his direction. Special exemption from "stamp or other duty" is made in favour of "an ordinary disposition or other deed of conveyance by the persons vested with the title, recorded in the Register of Sasines" transferring certain trust schools with the site and house and land to a school board. Education (Scotland) Act, § 39.

75. Where upon the sale of any annuity or other right not before in existence, such annuity or other right is not created by actual grant or conveyance, but is only secured by bond, warrant of attorney, covenant, contract, or otherwise, the bond or other instrument, or some one of such instruments, if there be more than one, is to be charged with the same duty as an actual grant or conveyance, and is for all the purposes of the Stamp Act to be deemed an instrument of conveyance on sale.

78. Every instrument, and every decree or order of any court or of any commissioners, whereby any property on any occasion, except a sale or mortgage, is transferred to or vested in any person, is chargeable with duty as a conveyance or transfer of property.

Provided that a conveyance or transfer made for effectuating the appointment of a new trustee, is not to be charged with any higher

duty than ten shillings.

80. The duty upon a certified copy or extract of or from any register of births, baptisms, marriages, deaths, or burials, is to be paid by the

1 31 & 32 Vict. chap. 34 provides that extracts of indentures may be received in evidence, if marked with a certificate indicating the stamp duty paid on the principal writ recorded. As the indenture certificates of pupil-teachers will be subject to frequent production, they should fortify against loss or damage of original writs by registration.

person requiring the copy or extract, and may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the copy or extract is signed, before he delivers the same out of his hands, cus-

tody, or power.

93. The duplicate or counterpart of an instrument chargeable with duty (except the counterpart of an instrument chargeable as a lease, such counterpart not being executed by or on behalf of any lessor or grantor), is not to be deemed duly stamped, unless it is stamped as an original instrument, or unless it appears by some stamp impressed thereon, that the full and proper duty has been paid upon the original instrument of which it is the duplicate or counterpart.

96. (1.) An agreement for a lease or tack, or with respect to the letting of any lands, tenements, or heritable subjects for any term not exceeding thirty-five years, is to be charged with the same duty as if it were an actual lease or tack made for the term and consideration

mentioned in the agreement.

(2.) A lease or tack made subsequently to, and in conformity with, such an agreement duly stamped, is to be charged with the duty of

sixpence only.

120. The term "receipt" means and includes any note, memorandum, or writing whatsoever whereby any money amounting to two pounds or upwards, or any bill of exchange or promissory note for money amounting to two pounds or upwards, is acknowledged or expressed to have been received or deposited or paid, or whereby any debt or demand, of any part of a debt or demand, of the amount of two pounds or upwards, is acknowledged to have been settled, satisfied, or discharged, or which signifies or imports any such acknowledgment, and whether the same is or is not signed with the name of any person.

is or is not signed with the name of any person.

121. The duty upon a receipt may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the receipt is given

before he delivers it out of his hands.

122. A receipt given without being stamped may be stamped with an impressed stamp upon the terms following; that is to say—within fourteen days after it has been given, on payment of the duty and a penalty of five pounds; after fourteen days, but within one month after it has been given, on payment of the duty and a penalty of ten pounds—and shall not in any other case be stamped with an impressed stamp.

123. If any person gives any receipt liable to duty, and not duly stamped; in any case where a receipt would be liable to duty refuses to give a receipt duly stamped; upon a payment to the amount of two pounds or upwards gives a receipt for a sum not amounting to two pounds, or separates or divides the amount paid with intent to evade the duty—he shall forfeit the sum of ten pounds.

N.B.—Privileges. Any public officer drawing or preparing instruments in the course of his duty, and any person employed merely to engross any instrument or proceedings, are not liable to the fifty pound

penalty levied on other unqualified persons.

SCHEDULE.

Admission in Scotland of any person as a burgess, or into any corporation or company, in any burgh, . . £0 5 0

Admission and Appointment of or of any office or employ salary, fees, or emoluments a	ment—Where	the an	nual			
or employment do not excee	d £100 1	Duoi		£2	0	0
Not exceeding £150, .	u 20100, .	•	•	4	ŏ	ŏ
900	•	•	•	6	ŏ	ő
980	• •	•	•	8	ŏ	ŏ
200	• •	•	•	10	Ô	Ö
For every £100, and also	for any fraction	nal nar	t of	10	U	U
$\mathcal{L}100$,	ior any macmo	пат раг	0 01	5	^	^
Affidavit, or Statutory Declara	tion .	•	•	0	0 2	0 6
Agreement, or any Memorando	won, .			U	Z	О
in Scotland without any clau otherwise specifically charge the same be only evidence o upon the parties from its bei	use of registration ad with any dute of a contract, or	n, and y, whe obliga	not ther tory	0	0	6
	Exemptions.					
Agreement or memorandum of the value of £5. Agreement or memorandum artificer, manufacturer, or	for the hire of an					
Appointment of a new trustee	memar servance.	ant in	020			
cution of a power of any pro	s, and appointed	May ar	exe-			
or interest in any property, by	y any instrumen	t not b	eing			
a will,			·	0	10	0
Appraisement or valuation of a	any property, or	of any	r in-			
terest therein, or of the annu	al value thereof	or of	any			
dilapidations, or of any repair	irs wanted, or o	f the m	ate-	•		
rials and labour used or to h	oe used in any b	uilding	, or			
of any artificer's work whatse	oever.					
Where the amount of the	appraisement of	r valua	tion			
does not exceed $\pounds 5$, .				0	0	3
Exceeds £5, and does not ex	ceed £10 .			0	0	6
,, 10 ,,	20 .			0	1	0
,, 20 ,,	3 0 .			0	1	6
,, 30 ,,	40.			0	2	0
,, 40 ,,	50 .			0	2	6
,, 50 ,,	100 .			0	5	0
,, 100 ,,	200 .			0	10	.0
,, 200 ,,	500 .			0	15	0
, 500			•	1	0	0
_						

Exemptions.

(1.) Appraisement or valuation made for, and for the information of, one party only, and not being in any manner obligatory as between parties either by agreement or operation of law.

¹ A letter, dated "Inland Revenue, Somerset House, 4th March 1871," signed "Wm. Lomas," says there is no exemption from duty in respect of schoolmaster, &c. . . . "These appointments are not the less liable to stamp duty that they are terminable on a short notice."

	-	.0111 0.						•
(2 \ Annmi	comont or		ion	of any proper	ta mada			
				of any properi ng the legacy of				
	payable:				L BUCCOS-			
Apprenticesh				161601.				
Where ther	e is no pr	emium	or co	onsideration,		£0	2	6
In any oth	er case for	everv	£5 a	nd fraction of	£5.	0	5	õ
			_	ptions.	,	•	-	
Poor childr	on of any			ublic charity.				
Award or De								
				the matter in	dispute			
	exceed £		•			0	0	3
			ot ez	cceed £10		0	0	6
••	10	22		20		0	1	0
"	20	"		30		0	1	6
"	30	"		40		0	2	0
"	40	"		50		0	2	в
,,	50	,,		100		0	5	0
"	100	,,		200		0	10	0
"	200	"		500		-	15	0
"	500	"		750	• •	1	0	0
, ;	750	"	0.0	1000	• ., •	1	5	0
				00, and in an	y other			
	not above				·		15	0
Conveyance	or transie	r on sa	ie o	f any propert deration for t	y wnere	rne		
not exce		и ше с	OHSI	deramon for t	пе вате о	ioes 0	0	6
Not exceedin		£ 0 1	'n	Not exceeding	~ £150	•	15	0
	15	0 1			175	-	17	6
"	20	0 2		"	200	ĭ	ō	Ö
"	25	0 2	-	,,	225	î	2	6
"	50	0 5		",	250	ī	5	ō
"	75	0 7	6	,,	275	1	7	6
"	100	0 10	0	,,	300	1	10	0
,,	125	0 12						
For every £5	0, and also	for an	y fra	ctional part of	£50, of s	uch		
amount or					. •.	0	5	0
Copy or Extr	act (<i>atteste</i>	d or in	any	manner authen	ticated) o	f or fro	m–	-
(1.) An	instrumen	t charge	able	with any dut	у.			
(2.) An (original w	III, test	mer	it, or codicil.	. 11 11			
(3.) The	propare of	r propai	e co	py of a will or	coaicii.			
	on of a tes			ation or any c	onnrma-			
				amped within	14 down			
"after date of	f attentati	on or a	ntha	ntication on p	14 uays			
" of the duty	only with	on t ans	none	nalty"	ayment			
				t any register o	f births.			
				aths, or burials				
				ls of any court.				
` I	n the case	of an i	astrı	ıment chargeal	ole with ?	The sar	ne di	ıt y
				ting to one shill		as 8	ucu	тп-
I	n any othe			•		0	1	0
				nption.				
(1.) Cop	y or extra	ct of or	fror	n any law proc	eedings.			

Copy or Extract (certified) of or from any register of births, baptisms, marriages, deaths, or burials .	£0	0	1
${\it Exemptions.}$			
(1.) Copy or extract furnished by any clergyman, registrar, or other official person pursuant to and for the purposes of any Act of Parlia- ment, or furnished to any general or superin- tending registrar under any general regulation.			
(2.) Copy or extract for which the person giving the same is not entitled to any fee or reward.		*	
Declaration of any use or trust of or concerning any pro- perty by any writing, not being a deed or will, or an instrument chargeable with ad valorem duty as a	•	•	_
settlement	0	10	0
or interest therein not described in this schedule. Duplicate or Counterpart of any instrument chargeable with any duty. (Where such duty does not amount	0	10	0
to 5s., the same duty as the original instrument.) In any other case Grant or Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, or of the Great Seal of Ireland, or the Seal of the Duchy or County Palatine of Lancaster, or under the Seal	0	5	0
kept and used in Scotland in place of the Great Seal formerly used there: (6.) Of any franchise, liberty, or privilege to any person or body politic or corporate. Lease or Tack—	30	0	0
(1.) For any definite term less than a year: (a.) Of any dwelling-house or tenement, or part of a dwelling-house or tenement, at a rent not exceeding the rate of £10 per annum.	0	•	,
(b.) Of any furnished dwelling-house or apartments	0	0	1
where the rent for such term exceeds £25 .	0	2	6
(c.) Of any lands, tenements, or heritable subjects except or otherwise than as aforesaid.	The same a lease year at reserved definite	for the r	a ent the
(2.) For any other definite term or for any indefinite term: Where the consideration or any part of the consideration is any rent—In respect of such consideration, if the rent, whether reserved as a yearly rent or otherwise, is at a rate or average rate:	, -		
·			

·	If the term is definite, and does not exceed 35 years, or is indefinite. If the term being definite exceeds 35 years, but does not exceed 100 years.			If the term being definite exceeds 100 years.					
	£	8.	d.	£	8.	d.	£	8.	d.
Not exceeding £5 per annum .	l õ	0	6	l õ	3	0	õ	6	ö
Exceeding—	1	•	-	ľ	_	-	ľ	•	1
£5 and not exceeding £10 .	0	1	0	0	6	0	0	12	0
10 ,, ,, 15 .	0	1	6	0	9	0	1 -	18	0
15 ,, ,, 20 .	0	2	0		12	0	1	4	0
20 ,, ,, 25 .	0	2	6		15	0		10	0
25 ,, ,, 50 .	0	5	0	1	10	0	3	0	0
50 ,, ,, 75 .	0	7	6	2	5	0	4		0
75 " " 100 .	0	10	0	3	0	0	6	0	0
For every full sum of £50, and also for any fractional part of £50 thereof	0	5	0	1	10	0	3	0	0
Letter or Power of Attorney, or Co Mandate, or other instrument in th (1.) For the sole purpose of app ing a proxy to vote at any o votes may be given by number of persons named be one or more (4.) For the receipt of any sun	e na oint ne n prox in s	turing neet y, uch	e th or a ting whe ins	erecauth at v the stru	of: noring which the men	s- h le it	£ 0) 10	
bill of exchange or promissory note for any sum of money, not exceeding £20, or any									
periodical payments not exceeding £20, or any									
sum of £10 (not being here							O		5 0
(6.) Of any kind whatsoever no	t h	erei	n-be	for	e d	3 -			
scribed		,		•			0	10	0
Protest		•		•		•	0)]	0
Release or Renunciation of any prope or interest in any property— Upon a sale. See Conveyance o security. See Mortgage, &c. In	n sa any	le. otl	B;	y wa	ay o	f		10	0
Revocation of any use or trust of an	y pr	ope	rty	b y (leed	l,			
or by any writing, not being a will Schedule, Inventory, or document a soever, referred to in or by, and i or given in evidence as part of, or other instrument charged with any separate and distinct from, and not nexed to, such other instrument:	nten as n dut	dec nate y, l	l to erial but	be to whi	use an ch i	d y s	0	10	0

Exemptions.

(1.) Printed proposals published by any corporation or company respecting insurances, and referred to in or by any policy of insurance issued by such corporation or company

(2.) Any public map, plan, survey, apportionment, allotment, award, and other parochial or public document and writing, made under or in pursuance of any Act of Parliament, and deposited or kept for reference in any registry, or in any public office, or with the public books, papers, or writings of any parish.

VI.

ORDER IN COUNCIL APPOINTING THE COMMITTEE OF COUNCIL ON EDUCATION IN SCOTLAND.

At the Court at Osborne House, Isle of Wight, the 9th day of August 1872—Present, The Queen's Most Excellent Majesty in Council.

Her Majesty in Council was this day pleased to appoint the Lord-President of the Council, the Vice-President of the Committee of Council on Education, the First Lord of the Treasury, the Chancellor of the Exchequer, the Most Noble the Duke of Argyll, the Right Honourable Henry Austin Bruce, and the Right Honourable George Young (Lord Advocate), to be a Committee of Council on Education in Scotland.

ARTHUR HELPS.

VII.

APPOINTMENT OF BOARD OF EDUCATION.

WHITEHALL, Oct. 10, 1872.

The Queen has been pleased to appoint Sir John Don Wauchope, Bart., Sir William Stirling Maxwell, Bart., John Ramsay, Esq. of Kildalton; Sir Alexander Grant, Bart., and John Tulloch, D.D., to be

members of the Board of Education for Scotland, for carrying into effect the purposes of an Act passed in the last Session of Parliament, intituled "An Act to amend and extend the Provisions of the Law of Scotland on the subject of Education."

VIII.

SCOTCH CODE (1873).

The Scotch Code is divided into three Chapters, containing 115 Articles and five Schedules.

CHAPTER I. consists of 16 Articles, and contains a Preliminary Chapter, setting forth particulars as to the object of the grant of public money, and the general conditions and machinery by which the distribution thereof is regulated. This chapter contains also the conditions on which Building Grants are made.

CHAPTER II., dealing with Annual Grants, consists of 96 Articles (17-112), and is divided into three parts.

Part 1 treats of Schools for Children, and sets forth the rates and conditions according to which annual grants are made to such schools.

Part 2 treats of Training Colleges for Teachers.

Part 3 contains special provisions regarding Evening Scholars.

CHAPTER III. consists of 3 Articles (113-115), and contains provisions for the Revision of the Code.

SCHEDULES.

- The First Schedule narrates the regulations as to the qualifications and certificates of Pupil-Teachers at admission and during their engagement. It comes into force on September 1, 1874. All examinations before that date will be held according to the Regulations now in force.
- The Second Schedule gives a form of Memorandum of Agreement between a School-Board, a Pupil-Teacher, and his or her surety.
- The Third Schedule gives a form of new Agreement on change of Managers, for the use of schools not under the management of a School-Board.
- The Fourth Schedule contains a table of specific subjects for secular instruction, according to which scholars are examined in order to obtain grants for passes in the higher subjects of instruction under Article 21.
- The Fifth Schedule contains Supplementary Rules to facilitate inspection.

MINUTE OF THE LORDS OF THE COMMITTEE OF THE PRIVY COUNCIL ON EDUCATION ESTABLISHING A CODE OF REGULATIONS FOR SCOTLAND (1873).

At the Council Chamber, Whitehall, the 22d day of May 1873.

By the Lords of the Committee of the Privy Council on Education in Scotland.

Their Lordships having read the various sections of the Education (Scotland) Act, 1872, which affect the administration of Parliamentary Grants for Public Education, and a Minute of the Board of Education for Scotland, dated 18th April 1873, submitting the conditions according to which, in the opinion of the Board, Public Grants may be most advantageously distributed in that country,—

Resolved,

To substitute for the Regulations under which the Parliamentary Grant is now distributed in Scotland the Code annexed to this Minute, and hereby approved, and to adopt the following course in introducing it, namely,—

- The Scotch Code shall regulate all Annual Grants to be made on applications received after the 1st July 1873.
- Annual Grants falling due on, or before, the 31st August 1873, will be paid according to the Regulations hitherto in force in Scotland.
- 3. Annual Grants falling due at the end of each school year (Article 13) in the twelve months ending 31st August 1874, will be paid, at the option of the managers, either according to the Scotch Code, or according to the regulations now in force.
- 4. If the managers of a school elect to receive grants according to the Scotch Code they must undertake to pay in full, for the school years ending on or before 31st August 1874, the Stipends, Gratuities, and Augmentation Grants which would otherwise have been severally payable out of the Parliamentary Grant to the teachers and pupil-teachers employed in their schools.
- 5. The deduction prescribed by Article 32 (c) of the Scotch Code will not be enforced during the year ending the 31st of August 1874, if the number of Candidates admitted at the Inspector's visit, in the course of that year, be sufficient to complete the staff of pupil-teachers required by that Article for the ensuing year.
- 6. In the case of a Public School held by a teacher to whom a Certificate is granted (before the 31st December 1874) under Article 66, an Annual Grant will be paid, on the terms of the Scotch Code, for that part of the year (Article 13) at the close of which the Certificate is granted, during which such teacher has been in charge of the school.

7. Subject to the above conditions, to cancel all the Minutes and Regulations now in force.

CODE (1873) OF THE SCOTCH EDUCATION DEPARTMENT.

PRELIMINARY CHAPTER.

- 1. A sum of money is annually granted by Parliament "For public "Education in Scotland."
- 2. This grant is administered by the Scotch Education Department,* hereinafter called the Department.
- 3. The object of the grant is to aid local exertion, under certain conditions, to maintain-

 - (a.) Schools for children (Article 6); and
 (b.) Training colleges for teachers (Article 83).
- 4. Aid to maintain schools is given by annual grants conditional upon the attendance and proficiency of the scholars, the qualifications of the teachers, and the state of the schools.
 - 5. These grants are made,-
 - "To any school board for and in respect of the public schools under their management."
 - b. "To the managers of any school which is, in the opinion of the Department, efficiently contributing to the secular education of the parish or burgh in which it is situated." (Education Act (Scotland), 1872, sec. 67 (2.).)
- 6. In every school, or department of a school, in respect of which grants are made, the following regulations must be strictly observed :-
- a. "The school shall be open to children of all denominations, and any child may be withdrawn by his parents from any instruc-tion in religious subjects and from any religious observance in any such school; and no child shall in any such school be placed at any disadvantage with respect to the secular instruction given therein by reason of the denomination to which such child or his parents belong, or by reason of his being withdrawn from any instruction in religious subjects."
- b. "The time or times during which any religious observance is practised or instruction in religious subjects is given at any meeting of the school for elementary instruction shall be either at the beginning or at the end, or at the beginning and at the end of such meeting, and shall be specified in a table approved of by the Scotch Education Department." (Education Act, sec. 68.) This time table is to be submitted to the inspector for approval, on behalf of the Department, at the time of his annual visit (Article 11).
- c. The education given must consist chiefly of elementary instruction (Article 28).
- d. The ordinary payments in respect of the instruction, from each child, must not exceed ninepence a week.

[&]quot;The term 'Scotch Education Department' shall mean The Lords of any Committee of the Privy Council appointed by Her Majesty on Education in "Scotland" (Education, Scotland, Act, 1872, s. 1).

7. No grant is made for or in respect of—

a. Instruction in religious subjects (Education Act, sec. 67 (a).)

b. A school established after the passing of the Education (Scotland) Act (6 August 1872), not being a public school unless the Department shall after due inquiry be satisfied that no sufficient provision exists for the children for whom the school is intended, regard being had to the religious belief of their parents, or that it is otherwise specially required in the locality where it is situated (ibid., sec. 67 (b.).

c. Higher class public schools (ibid., sec. 62-64).

8. Officers are employed to verify the fulfilment of the conditions on which grants are made, to collect information, and to report the results to the Department.

9. These officers are inspectors appointed by Her Majesty, on the recommendation of the Department, and persons appointed by the Department, as occasion requires, in the capacity of acting inspectors, or inspector's assistants.

10. No grant is paid except on a report from an inspector, showing that the conditions of the grant have been fulfilled. The inspector may delegate to an assistant the duty of examining into the attendance

and proficiency of the scholars.

11. The Department, at the time of agreeing to make grants to a school, informs the managers in what month to look for the inspector's annual visit. This month remains the same from year to year, unless the Department informs the managers of a change. Notice of the day of the inspector's annual visit is given beforehand to the managers.

12. An inspector may visit any public school, or other school subject

to inspection, at any other time without notice.

13. Grants are issued to each school only once per annum. The year for this purpose is reckoned as ending with the last day (inclusive) of the month preceding that fixed for the inspector's annual visit.

14. No undertaking should be commenced in general reliance upon aid from the parliamentary grant. An application for such aid should, in the first instance, be addressed to the Secretary, Scotch Education Department, Whitehall, London, S.W.

Full instructions are thereupon issued according to the particulars of

the case.

15. a. The managers of a school must appoint a correspondent with

the Department, and must give notice of any change of correspondent.

b. Teachers cannot act as managers of, or correspondents for, the schools in which they are employed, nor can they be recognised by the Department as clerks, or treasurers, of school boards, unless very special grounds can be shown for their holding such appointments.

c. The term managers includes,

(1.) The School Board of any burgh or parish.

- (2.) The managers of a public school appointed by a School Board under section 22 of the Education Act.
- (3.) The managers of any school to which grants are made pursuant to Article 5 b.

BUILDING GRANTS.

16. It is provided by section 67 of the "Education (Scotland) Act, " 1872," that-

- "No parliamentary grant shall be made in aid of building, enlarging, improving, or fitting up any school, except in pursuance of a written application from a School Board, containing the information required by the Scotch Education Department for enabling them to decide thereon, and sent to the said Department on or before the 31st day of December 1873, but without prejudice to applications made prior to the passing of this Act (6th August 1872), being dealt with according to the existing laws; and with respect to any parish situated in the counties of Inverness, Argyll, Ross, and Orkney and Shetland, where a school rate of not less than ninepence in the pound on the rateable value of such parish has been levied, such grant as aforesaid may be made of an amount not exceeding 300l. for each school and 100l. for each teacher's residence, without regard to the amount contributed by the school board out of the school fund or otherwise, or by local subscription, towards the building, enlarging, improving, or fitting up such school or residence."
- (1.) Subject to these conditions, aid will be granted to school boards to build public schools (Article 6) if the Department is satisfied—

a. That such a school is required in the locality.

- b. That the buildings, at the time of application, have not been begun nor contracted for, and that no trust deed has been executed.
- (2.) The grants made by the Department for building, enlarging, improving, or fitting up schools, shall not exceed any one of the following limits, viz.:—

1st Limit.—The total amount contributed in the form of—

a. Payments by the school board;

b. Local subscriptions, or collections;

- c. Materials, at the price allowed for them by the contractor, or at which sold off;
- d. Sites given without valuable consideration (the value to be certified by two professional surveyors);

 c. Cartage (the value to be certified by the surveyor of roads for the district).

2d Limit.—2s. 6d. per square foot of internal area in new school-rooms and class-rooms.

3d Limit.—65l. for each teacher's house.

(3) If the School Board of any parish in the counties of Inverness, Argyll, Ross, and Orkney and Shetland, propose to erect a new school which shall cost more than 600*l*., or a teacher's residence which shall cost more than 200*l*., then, and in each such case, a grant may be made of an amount not exceeding one half of the total cost of such buildings.

(4.) the site, plans, estimates, specifications, title, and trust deed

must, in every case, be previously approved by the Department.

(5.) Grants are not made for rooms under places of worship; nor for improving or fitting up schools which have already received the maximum grant allowable under the Articles of the Code in force at the time when such previous grant was made.

(6.) The extension of the area of existing school-rooms to receive more scholars, and the erection, or improvement of teachers' houses are

treated pro tanto as new cases under Article 16 (2).

(7.) No application can be entertained if the approved estimate falls below 20*l*. in small rural schools, or 50*l*. in other schools.

The Site.

(8.) The site must be-

a. In extent,

Not less than 1200 square yards.

b. In situation,

1. Healthy, and not noisy.

2. Within convenient distance from the homes of the scholars.

c. In tenure,

Fee simple (Acts 4 & 5 Vict. c. 38., and 12 & 13 Vict. c. 49).

(1.) Without incumbrance, or rights reserved over the sur-

face.

(2.) Any power granted or reserved to lease or sell the site, or to terminate the lease and resume possession, shall be so conceived and expressed that it shall not be lawful to exercise the same without written consent of the Secretary of State for the Home Department, and the possession of the site shall not be resumed without first repaying any grant which may have been paid in respect of the premises.

(3.) Leaseholds are not admissible, if fee simple can be granted. The term must not be less than 99 years, and there must be no onerous covenants, nor more than nominal rent.

The Trust Deed.

(9.) The trust deed must declare the premises to be granted to a

school board in trust for a public school.

(10.) When the trust deed has been executed according to a draft approved and sealed by the Department, and (when necessary), enrolled or registered, a copy of it, including all signatures, attestations, and endorsements, must be made on plain unstamped parchment, and lodged in the Office of the Department.

The Plans.

(11.) The plans (with specification and estimate), when approved and sealed, are returned to the school board, but must be lodged in the Office of the Department before a grant is paid.

Payment of Grants for Building, Enlarging, Improving, or Fitting up Public Schools.

(12.) The amount of the grant is not announced until after the draft trust deed and plans have been sealed.

(13.) The grant must be accepted or declined within 14 days.

(14.) The grant is paid on presentation of a certificate (with balance sheet annexed), by the school board, setting forth that the building and conveyance are completed, and that the money in hand will, when added to the grant, meet all claims, and close the account.

(15.) Grants under 50*l*. are treated as lapsed, if unpaid at the end of nine months, and grants above 50*l*. at the end of eighteen months,

from the date of announcing them.

CHAPTER II. ANNUAL GRANTS.

PART L-SCHOOLS FOR CHILDREN.

SECTION I.—Preliminary Conditions.

- 17. Before any grant is made to a school the Department must be satisfied that—
 - (a.) The school is conducted in accordance with the terms of Article 6; and no child is refused admission on other than reasonable grounds.
 - (b.) The school is not carried on with a view to private emolument (Article 5 b).
 - (c.) The premises are healthy, well lighted, warmed, drained, and ventilated, properly furnished, supplied with suitable offices, and contain in the principal school-room at least 80 cubical feet of internal space, and in the school-room and class-rooms at least 8 square feet of area, for each child in average attendance.
 - (d.) The principal teacher is certificated (Article 43), and is not allowed to undertake duties, not connected with the school, which occupy any part whatever of the school hours, or of the time appointed for the special instruction of pupil-teachers (Schedule I. 4).

Exception: --

Evening schools may be taught by pupil-teachers who have completed their engagement with credit (Article 79).

- (c.) Notice is immediately given to the Department of the date at which the teacher enters on the charge of the school, from which date the grant is computed.
- which date the grant is computed.

 (f.) The girls are taught plain needlework and cutting out as part of the ordinary course of instruction.
- (g.) The infants, if any, attending the school are instructed suitably to their age, and in a manner not to interfere with the instruction of the older children.
- (h.) Registers of admission and daily attendance, and accounts of income and expenditure, are accurately kept and duly audited; and all statistical returns and certificates of character (Articles 67, 77, and 80) may be accepted as trustworthy.

(i.) Three persons have designated one of their number to sign the

receipt for the grant.

Exception:—
The treasurer of a school board signs the receipt for grants to schools under the management of the

board.

18. The grant may be withheld, if, on the inspector's report, there appears to be any serious *primâ facie* objection. A second inspection, wherein another inspector takes part, is made in every such instance, and if the grant be finally withheld, a special minute of the case is made and recorded.

Grants to Day Schools.

- 19. The managers of a school which has met not less than 400* times, in the morning and afternoon, in the course of a year, as defined by Article 13, may claim at the end of such year-
 - A. The following sums per scholar, according to the average number in attendance throughout the year (Article 26).
 - (1.) 48.
 - (2.) 1s. if singing forms a part of the ordinary course of instruction.
 - (3.) 1s. 6d., if the inspector reports that the organisation and discipline are excellent; or, 1s. if he reports that they are good.

The inspector will bear in mind, in reporting on the organisation and discipline, the results of any visits of surprise (Article 12) made in the course of the school year.

- B. For every scholar, present on the day of examination, who has attended not less than 250* morning or afternoon meetings of the school:-
 - 1. If above four, and under seven, years of age at the end of the year (Article 13),—
 - (a.) 8s., or
 - (b.) 10s, if the infants are taught as a separate department, by a certificated teacher of their own, in a room properly constructed and furnished for their instruction.
 - 2. If more than seven years of age, subject to examination—
 - 3s. for passing in reading;
 - 3s. for passing in writing; Articles 28, 29.
 - 3s. for passing in arithmetic.
- C. 1. The sum of 2s. per scholar, according to the average number of children, above 7 years of age, in attendance throughout the year (Article 26), if the scholars present on the day of examination, in the classes from which children are examined in Standards II. and III. show an intelligent and grammatical knowledge of the passages read.
 - 2. A further sum of 2s. per head on the same average if the classes from which children are examined in Standards IV.-VI., pass creditably in history and geography.
 - 3. The extent of the examination is indicated by the passages printed in italics in Article 28. In districts where Gaelic is spoken the intelligence of the children examined, under this paragraph, in Standards II. and III. may be tested by
- i. If a school is employed for the purpose of taking the poll at a Parliamentary clection, under section 6 of the Ballot Act, 1872, the number of meetings during which the managers are deprived of the use of the school, solely in consequence of it being so employed, may, if necessary, be counted in making up,—

 1. The 400 meetings of the school; or,

 2. The 250 attendances of any scholar who was under instruction in the school the
- week before it was occupied for election purposes.

 ii. If a school claiming annual grants for the first time has not been open for the whole year (Article 13); or, if a school has been closed during the year, under medical authority, on account of a local epidemic, a proportionate reduction is made for the number of meetings (400) and attendances (250) required by this Article.

requiring them to explain in Gaelic the meaning of the

passage read.

4. The examination is not confined to the scholars who have made 250 (or 150) attendances; and one half of the children, examined under this paragraph of Article 19, must pass creditably.

5. The mode of examination (whether oral or on paper) is left

to the discretion of the inspector.

- 20. 150 attendances (Article 23) qualify for examination—
 - (a.) Scholars under any half-time Act.(b.) Boys above 10 in a rural district.

- (c.) Scholars residing two miles or upwards from the school.
- 21. If the time table of the school, in use throughout the year, has provided for one or more specific subjects of secular instruction according to the table in Schedule IV.
 - a. A grant of 4s. per subject may be made for every day scholar, presented in Standards IV.-VI. (Article 28) who passes a satisfactory examination in not more than two of such subjects.

b. Any scholar who has previously passed in Standard VI. may be presented for examination in any three of such specific

c. The amount claimed under this Article is not taken into account

in making any reduction under Article 32 (a.), 2.

d. No grant may be claimed under this Article on account of any scholar who has been examined, in the same subject, within the preceding year, by the Department of Science and Art.*

Grants to Evening Schools (Articles 106-112).

22. The managers of a school which has met not less than 60 times in the evening, in the course of a year, as defined by Article 107, may claim (Articles 108 and 109),-

(a.) The sum of 4s. per scholar, according to the average number in

attendance throughout the year (Article 26).

(b.) For every scholar, above 13 years of age, who has attended not less than 40 evening meetings of the school 7s. 6d., subject to examination (Article 28), viz., 2s. 6d. for passing in reading, 2s. 6d. for passing in writing, and 2s. 6d. for passing in arithmetic.

Calculation of Attendance.

- 23. Attendance at a morning or afternoon meeting may not be reckoned for any scholar who has been under instruction in secular subjects less than two hours, nor attendance at an evening meeting for any scholar who has been under similar instruction less than one hour and a half.
 - 24. Attendance of boys at drill, under a competent instructor, for

^{*} See Science Directory (November 1872), Section LI. "No pupil in an elementary "school, receiving aid from the Education Department, Whitehall, may be presented "for examination (except in elementary drawing) by the Science and Art Department, who has not passed Standard IV. of the New Code: nor who has been "the examination of the New Code: nor who has been the standard in the control of the New Code: nor who has been the company of the New Code: nor who has not passed the new Code "examined within the preceding six months in the same subject by Her Majesty's "Inspectors."

not more than two hours a week, and 40 hours in the year, may, in a day school, be counted as school attendance.

25. Attendances may not be reckoned for any scholar above 18, or in a day school under 3, or, in an evening school, under 12 years of age.

26. The average number in attendance for any period is found by adding together the attendances of all the scholars for the same period, and dividing the sum by the number of times the school has met within the same period; the quotient is the average number in attendance.

27. In calculating the average number in attendance, the attendances of half-time scholars reckon for no more than those of other scholars.

Standards of Examination.

28.	Standard Standard II.		Standard III,	Standard IV.	Standard V.	Standard VI.	
Reading.	Basy child's book, not confined to words of one syllable, to be brought by the Inspector.	Reading, with comprehension, easy narrative, the book to be brought by the inspector. The scholar to point out the nouns in the passage read.	Improved reading of plain narrative, the book to be brought by the Inspector. The scholar to show comprehension of the meaning of the sentences read, and to point out the nouns, adjectives and verbs.	Reading intelligently a passage from some history book in use in the school, with explanation and parsing of sentences.	Reading with expression a short passage of prose or a short place of poetry from the highest class book used in the school, with explanation, grammar, and elementary analysis of sentences.	Reading, with improved expression, explanation, and grammatical analysis, of passages selected by the Inspector.	
Writ-	Large or half- text in copy- books.	(a) A short sentence from the same book, dictated slowly word by word. (b) Writing large or half-text; copybooks to be submitted.	(a) Five lines from the same book, dictated alowly by a few words at a time. (b) Fair small-hand, with capital letters, and figures, to be shown in copybooks.	(a) Ten lines dictated slow-ly from the same book. (b) Improved small-hand, to be shown in copy-books	A short letter on a subject to be prescribed by the inspector. The form of composi- tion, spelling, gram mar, and handwriting to be considered.	Writing from memory the substance of a short story or narrative read out twice by the Inspector; spelling, grammar, and handwriting to be considered.	
Arith- metic.	Notation and numeration up to 1000. Simple ad- dition and subtraction of numbers of not more than three figures.	Notation and numeration up to 10,000. The Multiplication Table to 5 times 12. Simple addition and subtraction of sums of ten figures.	Notation and numeration up to 1,000,000. Four simple rules. Money and time tables.	Compound rules (money and common weights and measures).* Aliquot parts of a pound sterling.	Practice, bills of parcels, simple and compound proportion.	Vulgar and de- cimal frac- tions.	
History and Geo- graphy.			-	Outlines of the History of Scotiand. Robert the Brisce to the Union of the Union of the Union of the Countries of the Gography of Scotland.	More detailed knowledge of the History of Socianal, from Robert the Bruce to the Union of the Kingdome of the Social Robert State of the Social Robert Robert Social Robert Rober	Outlines of the History of Great Britain from the Union of the Orours to the death of George III. George III. George Grantinental divisions of the world, and outline of map.	

N.B.—As to the words printed in italics, see Article 19. C. 8.

^{*} The 'weights and measures' taught in schools should be only such as are really

29. No scholar may be presented a second time for examination —

(a.) Under a lower Standard; or, (b.) Under the same Standard

- 30. After the 31st of March 1876 no day scholar above 9 years of age, and no evening scholar above 13, will be examined in Standard I.
- 31. After the 31st of March 1877 no day scholar above 9 years of age, and no evening scholar above 14, will be examined in Standard II.

Reduction of Grant.

32. The amount which may be claimed by the managers under Articles 19 and 22 is reduced,-

(a.) By its excess above,

1. The income of the school from fees, rates, and subscriptions; except in any parish (not burgh) in the counties of Inverness, Argyll, Ross, and Orkney and Shetland, "where a "School rate of not less than 3d. in the " pound on the rateable value of the parish "has been levied." (Education Act sec. 67.)

2. The rate of 15s. per day scholar (see Article 21. c.), and of 10s. per evening scholar, according to the average number in attendance;

3. One-half the expenditure on the annual maintenance* of the school.

(b.) By not less than one-tenth nor more than one-half in the whole upon the inspector's report for faults of instruction, discipline, or registration, on the part of the teacher, or (after six months' notice) for failure on the part of the managers to remedy any defect in the premises which seriously interferes with the efficiency of the school, or to provide proper furniture, books, maps, and other apparatus of elementary instruction. inspector at a visit of surprise (Article 12), not less than six months after notice has been given of the requirements of the

> Department, reports that they have not been carried into effect, a deduction may be made from the next grant to the

school.

(c.) At the rate of 20l. for the year, for every 40 scholars, after the first 20, of the average number in attendance, unless there has been during the year one pupil teacher fulfilling the conditions of Article 70 for every such 40 scholars. A certificated (Article 43) assistant teacher, or an assistant fulfilling the conditions of Article 79, is equivalent to two pupil teachers.

useful; such as Avoirdupois Weight, Long Measure, Liquid Measure, Time Table, Square and Cubical Measures, and any measure which is connected with the industrial occupations of the district. In all schools the children in Standards V. and VI. should know the principles of the Metric System, and be able to explain the advantages to be gained from uniformity of in the method of forming multiples and submultiples of the unit.

* Expenditure on such items as school treats, clothing, money prizes, or any outlay on the premises beyond the cost of ordinary repairs, will not be taken into account.

in the year defined by Article 13.

The forfeiture may be reduced from 20l. to 10l. if a pupil teacher fails in examination, but produces the prescribed certificates (Article 77). This reduction of the forfeiture is made only once for the same pupil-teacher, and not in successive years for the same school.

(d.) The payments under Article 19 B. 1 (a.) may be withheld if the inspector reports that the scholars under 7 years of age are not

satisfactorily taught.

- (e.) No payment will be made under Article 21 if less than 75 per cent. of the passes attainable in the Standard Examination (Article 28) has been obtained.
- 33. If the excess of scholars has arisen from increased attendance since the last settlement of the school staff (Article 39), the amount claimed by the managers is not reduced under Article 32 (c).

School Diary or Log-Book.

34. In every school receiving annual grants, the managers must provide out of the school funds, besides registers of attendance (Article 17h),-

- (a.) A diary or log-book.
 (b.) A portfolio to contain official letters, which should be numbered in the order of their receipt.
- 35. The diary or log-book must be stoutly bound and contain not less than 500 ruled pages.
- 36. The principal teacher must make at least once a week in a log-book an entry which will specify ordinary progress, and other facts concerning the school or its teachers, such as the dates of withdrawals, commencements of duty, cautions, illness, &c., which may require to be referred to at a future time, or may otherwise deserve to be recorded.
- 37. No reflections or opinions of a general character are to be entered in the log-book.
- 38. No entry once made in the log-book may be removed or altered otherwise than by a subsequent entry.
- 39. The summary of the inspector's report, and any remarks made upon it by the Department, when communicated to the managers, must be copied verbatim into the log-book, with the names and standing (certificated teacher of the ----class, or pupil-teacher of the -year, or assistant teacher) of all teachers to be continued on, or added to, or withdrawn from the school staff according to the decision of the Department upon the inspector's report. The correspondent of the managers must sign this entry, which settles the school staff for the year.
- 40. The inspector will call for the log-book at every visit and will report whether it appears to have been properly kept. He will specially refer to the entry made pursuant to Article 39, and he will require to see entries accounting for any subsequent change in the school staff. He will also note in the log-book every visit of surprise (Article 12), making an entry of such particulars as require the attention of the managers.

SECTION II.—TEACHERS REFERRED TO IN THE PRECEDING SECTION.

The recognised classes of teachers are,—(a.) Certificated teachers.

(b.) Pupil-teachers. (c.) Assistant teachers.42. Lay persons alone can be recognised as teachers; but this condition will not apply to any person to whom a certificate is granted under Article 66.

Certificated Teachers.

43. Teachers in order to obtain certificates must be examined (Article 44), and must undergo probation by actual service in school Article 51).

Examination for Certificates.

44. Examinations are held in December of each year at the several training colleges under inspection (Article 100), and at such other centres as may be necessary.

45. A syllabus of the subjects of examination for male and female

candidates respectively may be had on application to the Department.

46. The names of candidates who desire to be examined must be notified to the Department (Article 14) before the first day of October preceding the examination.

47. Candidates admissible to be examined for certificates must be,-(a.) Students who have been instructed for one year in train-

ing colleges under inspection; or,

- (b.) Teachers of schools to which annual grants may be made, who are upwards of 21 years of age, and have either-
 - 1. completed an engagement as pupil-teacher satisfactorily;

2. obtained a favourable report from an inspector; or,

(c.) Graduates in Arts or Science of any University of the United Kingdom, who have satisfied an inspector of their practical skill as teachers.

48. Teachers, or graduates, attending the examination may at their option take the papers of the first or second year'ss tudents (Article 102); but graduates are not required to be examined in any of the subjects (Article 45) in which they were examined on obtaining a degree.

49. A list is published showing the successful candidates, arranged in four divisions in the first year, and three divisions in the second year.

50. The relative proficiency of the candidates according to examination, and the nature of the professional training (Article 47) which they have received, are recorded upon their certificates.

Probation.

51. Candidates for certificates, after successfully passing their examination, must, as teachers continuously engaged in the same schools, obtain two favourable reports from an inspector, with an interval of one year (Article 13) between them; and, if the first of these reports be not preceded by service of three months (at the least) since the examination, a third report, at an interval of one year after the second report, is required. If the second (or third) report is favourable a certificate is issued.

52. Teachers under probation satisfy the conditions which require that schools be kept by certificated teachers.

Certificates.

53. Certificates are of four classes. No certificate is originally issued above the second class. The (fourth lowest) class includes special certificates for teachers of infants, and of small schools.

Certificates of the First and Second Class.

54. (a.) Candidates who are placed by examination in the first division of the second year (Article 49), receive certificates of the second class, which can be raised to the first class by good service only.

(b.) Certificates remain in force for 10 years from the date of their issue, after which interval they are open to revision according to the

intermediate reports.

Certificates of the Third Class.

55. Candidates who are placed by examination in the second or third division of the second year, or in one of the first three divisions of the first year (Article 49), receive certificates of the third class, which can be raised (Article 54 (b.)) by good service only.

Certificates of the Fourth Class.

56. Candidates who are placed by examination in the fourth division (Article 49) receive certificates of the fourth class.

57. Certificates of the fourth class do not entitle the teachers to have

the charge of pupil teachers.

- 58. Certificates of the fourth class can be raised only by examination.
- 59. During the period ending 31st December 1875, certificates of the fourth class may be granted, without examination, upon the report of an inspector, to acting teachers who satisfy the following conditions:—

 1. They must, at the date of the inspector's report,—

(a) be above 35 years of age (males), or 30 (females);

(b.) have been teachers for at least 10 years; and

(c.) present certificates of good character from the managers of their schools.

The inspector must report,—

(a.) That they are efficient teachers;

(b.) That not less than 20 children, who had been under instruction in their schools during the preceding six months, were individually examined (Article 28); and

(c.) That at least 15 of the "passes" of these scholars in reading, writing, or arithmetic, were made in the second or

some higher standard.

- 59. (a.) In schools attended by infants only (under 7 years of age), the conditions of Article 59, 2, (b. and c.) are not required to be fulfilled.
- 60. Pupil-teachers who have completed their engagement with credit, and who have passed satisfactorily either the examination for the close of their fifth year (Schedule I.) or (Article 94) that referred to in

Article 91, may, upon special recommendation by the inspector, be provisionally certificated in the fourth class for immediate service in charge of schools which have an annual average attendance of less than 60 scholars.

61. After their 25th year of age (completed) their provisional certificates must have been exchanged for permanent certificates (Article 43)

or are ipso facto cancelled.

62. The provisional certificate is confined to an entry of the pupil teacher's name in a register kept by the Department, and does not involve the issue of any certificate to the pupil-teacher.

Future Rating of existing Certificates.

63. (a.) Existing certificates of the first or second class are rated as of the first or second class.

(b.) Existing certificates of the third class, and infant school certi-

ficates of the first class, are rated as of the third class.

(c.) Existing infant school certificates of the second class are rated

as of the fourth class.

- 64. Certificates of the second or third class will be open to revision at the end of 10 years from the date of their issue, or of their last revision.
- 65. The class of any certificate not yet issued will be fixed by Articles 54, 55, and 56.

Certificates for acting Teachers of Public Schools. (Education Act, 1872, Sec. 56.)

66. A certificate will be granted on the following conditions, to every person who at the date (6th August 1872) of the passing of the Scotch Education Act, was the principal teacher of a public school, as defined by that Act, or teacher in a burgh school and a member of the council of a Scotch University (Education Act, s. 56.):—

(1.) Such persons being graduates of a Scotch University, will, if they are above 30 years of age, and have been employed as teachers for ten years, receive certificates of the first class.

(2.) If, being graduates, they are under 30 years of age, or have served as teachers for less than 10 years, they will receive certificates of the second class, which will be subject to Article 54 (b.).

(3.) If the teachers are not graduates, the certificates will be of the fourth class, and will be subject to Articles 57 and 58.*

(4.) The certificates will be issued on a favourable report from an inspector, on any public school, to which grants are or may be made, under the charge of such teacher.

Reports of Managers and Inspector.

- 67. The managers must annually state whether the teacher's character, conduct, and attention to duty have been satisfactory.
- * By minute of the 24th of June this article is modified so that "members of Council of a Scotch University," even if they are not graduates, may receive certificates of the first and second class, and teachers otherwise qualified, but neither graduates nor members of Council, may receive certificates of the third class.—Cf. p. 129.

68. The inspector reports of each school visited by him whether it is efficient in organisation, discipline, and instruction.

69. Certificates may, at any time, be recalled, suspended, or reduced under articles 67 and 68.

Pupil-teachers.

70. Pupil-teachers are boys or girls employed to serve in a school on the following conditions, namely:

(a.) That the school is reported by the inspector to be-

1. Under a duly certificated teacher (Articles 43 and 57).

2. Held in suitable premises (Article 17. c.).

3. Wellfurnished and well supplied with books and apparatus,

4. Properly organised and skilfully instructed.

5. Under good discipline.

6. Likely to be maintained during the period of engagement.

(b.) That the pupil-teachers be not less than 13 years (completed) of age at the date of their engagement.

(c.) Be of the same sex as the certificated teacher under whom they serve; but in a mixed school female pupil-teachers may serve under a master, and may receive instruction from him out of school hours on condition that some respectable woman, approved by the managers, be invariably present during the whole time that such instruction is being given.

(d.) Be presented to the inspector for examination at the time

and place fixed by his notice (Article 11).

(e.) Pass the examinations and produce the certificates specified

in Schedule I.

(f.) That the Managers enter into an agreement in the terms of the memorandum in the Second Schedule to this Code, a copy of which memorandum is sent to the managers for every candidate approved by the Department.

(g.) That not more than four pupil-teachers are engaged in the school for every certificated teacher serving in it.

71. The Department is not a party to the engagement, and confines itself to ascertaining, on the admission of the pupil-teacher and at the end of each year of the service—

(a.) Whether the prescribed examination is passed before the

inspector.

(b.) Whether the prescribed certificates are produced from the

managers and teachers.

72. Whatever other questions arise upon the engagement may be referred to the Department (provided that all the parties agree in writing to be bound by the decision of the Department as final), but, otherwise, must be settled as in any other hiring or contract.

73. Vacancies in the office of pupil-teacher which occur in the course of any year (Article 13) must not be filled up until after the next

examination by the inspector.

74. The candidate or candidates for such vacancies must be engaged in the mean time by the week only as monitors, and the memorandum of agreement (Article 70 f) will not be issued by the Department to the managers until the inspector's report has been examined.

75. Temporary monitors engaged by the week, pursuant to Article

74, for the supply of vacant pupil-teacherships during a current year

Article 13), satisfy Article 32 (c), provided—

(a.) That a sufficient number of candidates to complete the requisite proportion of teachers to scholars pass the next examination for admission (Article 77) to permanent engagements; and

(b.) That the vacancies are reported to the Department as soon as they occur, and have been occasioned by causes which are ac-

cepted by the Department as satisfactory.

76. Except in the cases provided for by Article 75, each vacancy in a pupil-teachership during a current year (Article 13) works a forfeiture under Article 32 (c).

77. The qualifications and certificates required of candidates for admission, and of pupil-teachers in each year of their service are regulated by the First Schedule annexed to this Code.

Pupil-teachers who have successfully completed their Engagement.

78. At the close of their engagement pupil-teachers are perfectly free in the choice of employment. If they wish to continue in the work of education they may become assistants in schools (Article 79), or may be examined for admission into a training college (Article 91), or may be provisionally certificated for immediate service in charge of small schools (Article 60).

Assistant Teachers.

79. Pupil-teachers who have completed their engagement with credit, having passed satisfactorily either of the examinations referred to in (Article 60) and candidates, not having been pupil-teachers (Article 93 c), who have passed with success (Article 94) the examination referred to in Article 91, may serve as assistants in schools in place of pupil-teachers, without being required to be annually examined.

80. Such assistants cease to fulfil the conditions of Article 32 (c), if at any time the inspector reports them to be inefficient teachers, or if they fail to produce from the managers, and from the principal teacher, of their school, the same certificates of conduct, attention to duty, and

obedience, as are required from pupil-teachers.

81. A vacancy caused by the withdrawal of an assistant in the course of any school year (Article 13) may be supplied by the appointment of temporary monitors, pursuant to Articles 74, 75, or of another assistant, qualified according to Article 79.

82. Assistants make their own terms with the managers, both as to

hours and wages.

82 (a). Assistants are counted as part of the school staff (Article 39) from the date at which their appointments are notified to, and approved by, the Department.

PART II .- TRAINING COLLEGES.

SECTION I.

83. A training college includes-

(a.) A college for instructing candidates for the office of teacher; (b.) A practising school, in which such students may learn the exercise of their profession; and

(c.) In some cases, a hall in which the students are boarded and lodged.

84. No grant is made to a training college unless the Department is satisfied with the premises, management, and staff.

SECTION II.—GRANTS TO TRAINING COLLEGES.

85. Annual grants are made to practising schools (Article 83 b.) on the same conditions as to other schools.

86. Grants are placed to the credit of each college of 100*l*. for every master, and of 70*l*. for every mistress who, having been trained in such college during two years, has since December 1862,—

(a). completed the prescribed period of probation (Article 51), and become qualified to receive a certificate as a teacher in a school to which annual grants may be made, or in a training college;

(b.) been reported by the proper department in each case to have completed a like period of good service as an elementary teacher in the Army or Royal Navy, or (within Great Britain) in Poor Law Schools, Certified Industrial Schools, or Certified Reformatories.

87. Teachers who have been trained for one year only may obtain certificates after probation (Article 51), or may be reported by the proper department upon the same terms as others; and grants, of half the amounts specified in Article 86, may be placed to the credit of the colleges in which they were trained, provided—

(a.) they completed their training before 1st January 1864; or

(b.) are teachers of infants, having-

 received a complete and special course of training for that service in their colleges, which must have been previously recognised by the Department as providing such a course; and

2, undergone their probation in infant schools.

88. The annual grant to each college is paid out of the sums placed to its credit (Articles 86, 87).

89. The grant must not exceed—

(a.) 75 per cent. of the actual expenditure of the college for the year, certified in such manner as the Department may require.

(b.) 50l. for each male, and 35l. for each female, Queen's scholar (Article 96), attending for continuous training throughout the year for which it is being paid.

90. The annual grant to each college is paid as follows:-

(a.) An instalment of 12l. (males), or 8l. (females is paid on 1st March, 1st June, and 1st September, in respect of every Queen's scholar (Article 96) attending for continuous training throughout the year.

(b.) The balance is adjusted as soon as the college accounts for the year have been closed, audited, and approved by the Education

Department.

SECTION III. - ADMISSION INTO TRAINING COLLEGES.

91. An examination of candidates for admision is annually held at each college in December, during the week following the examination for certificates (Article 100).

92. The examination extends to the subjects required in the course

of a pupil-teacher's engagement (Schedule I.).

93. The candidates are selected, and admitted to the examination, by the authorities of each college on their own responsibility, subject to no other conditions, on the part of the Department, than that the

(a.) intend bond fide to adopt and follow the profession of teacher

in schools fulfilling the conditions of Article 86 (a) or (b).

(b.) having been pupil-teachers, have successfully completed their

engagement.

(c.) not having been pupil-teachers, will be more than 18 years of age on the first of January next following the date of the examination. This article will apply to pupil-teachers whose engagement may have been determined under section 5 of the memorandum of agreement (Article 70 f.), without discredit to themselves, and for reasons approved by the Department.

94. The successful candidates are arranged in two classes in order of merit.

- 95. The authorities of each college may propose to the Department for admission any candidate declared to be admissible pursuant to Article 94.
 - 96. Such candidates when admitted are termed Queen's scholars.

97. Before candidates are admitted-

(a.) The medical officer of the college must certify the state of their health to be satisfactory, and that they are free from serious bodily defect, or deformity; and,
(b.) They must sign a declaration signifying their intention con-

formably to Article 93 (a).

98. The authorities of each college settle their own terms of admission. 99. Upon proof by the authorities of any college that candidates have not fulfilled the conditions signed by them on admission into the college, the Department will refuse to grant teachers' certificates (Article 53) to such candidates, or to admit them to probation for certificates (Article 51).

SECTION IV .- EXAMINATION OF STUDENTS IN TRAINING COLLEGES.

100. An examination of the students is held in December at the several colleges. The day fixed for the commencement of this examina-

tion is printed on the syllabus (Article 45) from year to year.

101. No student may be present for examination except such as, at the date of their admission, satisfied Article 93, and have been under instruction throughout the whole year. No such student may be left

102. (a.) The students have a different examination according as they are males or females, or are at the end of a first or second year of

training.

(b.) Queen's scholars (Article 96) may, with the consent of the authorities of their training college, attend during the winter session of each year of their instruction in such college, one or two (but not more) of the classes in a Scotch University, prescribed for graduation in Arts or Science. If they attend two such classes during the session they may, during the same time, reckon two hours of attendance per diem at the training college as equivalent to regular attendance.

(c.) The examination for certificates, in the subjects taught in these classes, will be conducted, in 1874 and thenceforward, by a board of examiners composed of professors in the Scotch Universities and Her Majesty's Inspectors of schools.

103. The first year's syllabus for females includes special subjects for the teachers of infants. Candidates who pass in these subjects, and complete their probation (Article 51) in schools for infants, receive

special mention thereof (stamp) on their certificates.

104. Students who pass successfully through two years of training

receive special mention thereof (stamp) on their certificates.

105. Students of the first year who fall into the fourth division (Article 49) are required to take up the first year's subjects again at the end of their second year.

PART III .- SPECIAL PROVISIONS.

Evening Scholars.

106. The managers of any school to which annual inspection has already been promised (Article 11) may apply in writing, before the 1st of February, to the Inspector of the district for an examination of their evening scholars (Article 22). This application must be renewed annually.

107. Only one examination is held per annum of evening scholars in the same school, and it may be held on any day, between the 1st of March and 30th of April, that may be arranged with the Inspector, provided that the school has met the required number of times

(Article 22) since the date of the last examination.

108. If the evening school is connected with a day school, in receipt of annual grants, the grant for the examination of the evening scholars is paid as part of the next annual grant to the whole school (Article 13).

109. If the evening school is not connected with a day school in receipt of annual grants, the grant is paid as soon as possible after the 30th of April; at which date, in such cases, the evening school year is considered to end.

110. The Inspector may make arrangements for the examination, at some convenient centre, of the evening scholars of several schools.

111. A separate examination will not be held for any school, unless 20 scholars are to be presented to the Inspector. If less than 20 scholars are to be presented, they can be examined only at a collective examination (Article 110), or at the same time with the day scholars. The number to be presented must be stated in the manager's annual application (Article 106) to the Inspector.

112. The Inspector may either hold the examination himself, or

intrust it to an assistant approved by the Department.

CHAPTER III. REVISION OF CODE.

113. The Department, as occasion requires, may cancel or modify articles of the Code, or may establish new articles, but may not take any action thereon until the same shall have been submitted to Parliament, and shall have lain on the Table of both Houses for at least one calendar month.

114. The Code shall be printed each year, in such a form as to show separately all articles cancelled or modified, and all new articles, since the last edition, and shall be laid on the Table of both Houses within one calendar month from the meeting of Parliament.

one calendar month from the meeting of Parliament.

115. The schedules annexed to the Code shall have the same effect as the Articles of the Code, and shall be subject to the provisions of Articles 113 and 114.

(Signed) RIPON, Lord President of the Council.

WILLIAM EDWARD FORSTER, Vice-President of the Committee of Council on Education in Scotland.

Scotch Education Department, 22d May 1873. dent of the Council

Secretary.

F. R. SANDFORD,

FIRST SCHEDULE

QUALIFICATIONS AND CERTIFICATES OF PUPIL-TEACHERS

N.B.—This Schedule will come into force on the 1st of September 1874. All

	1.	2.	3.	4			
	Health.*	Character and Conduct.	Reading and	English Grammar			
	N.B.—Copies of all t be entered i	hese Certificates should n the Log Book.	Repetition.	and Composition.			
For Admission -	A medical certifi- cate that candidate is not subject to any infirmity likely to interfere with pro- fession of teacher.	A certificate from managers that the moral character of the candidates and of their homes justifies an expectation that the instruction and training of the school will be seconded by their own efforts and the example of their parents.	To read with fluency, ease, and expression.	To point out the parts of speech in a simple sentence; and to write from dictation in a nest hand, with correct spelling and punctuation, a passage of simple prose. [In the following years, copy writing, one line of large hand and one of small hand will be required]			
End of 1st Year -	Certificate from managers that pupil-teacher has not suffered any failure of health likely to incapacitate for profession of teacher.	1. Certificate of good conduct from the ma- nagers. 2. Certificate of punc- tuality, diligence, obedi- ence, and attention to their duties, from the master or mistress.	To read as above	The noun, verb, and adjective, with their relations in a simple sentence; and to write from memory the substance of a passage of simple prose, read to them with ordinary quickness, or a short letter or theme.			
End of 2d Year	Same as at end of first year.	Same as above	To read as above; and to repeat 50 consecutive lines of poetry with just expression and knowledge of the meaning.	The pronoun, adverb, and pre- position, with their relations in a sentence; and to write from memory the substance of a passage of simple prose, read to them with ordinary quick- ness, or a short letter or theme.			
End of 3d Year -	Same as at end of first year, together with one from a me- dical practitioner.	Same as above	To read as above; and to repeat 40 consecutive lines of prose.	The conjunction, with the analysis of sentences; and to write full notes of a lesson on a subject selected by the inspector.			
End of 4th Year	Same as at end of first year.	Same as above	To read as above; and to repeat 100 lines of poetry.	Recapitulation of the preceding exercises; the meaning in English of the Latin prepositions; and to write a letter, or to write from memory the substance of a longer passage than at the end of second year.			
End of 5th Year -	Same as at end of first year.	Same as above	To read as above; and to repeat 80 lines of prose.	Recapitulation of the preced- ing exercises; to know some- thing of the sources and growth of the English language; and to write an original composition on			
	either arm or leg, hereditary tendency stitutional infirmity	thma, deafness, great im- th or voice, the loss of an nal disease, or the loss of permanent disability of curvature of the spine, to insanity, or any con- of a disabiling nature, is cation in candidates for acher.	poetry must be of a secu- lar character, and taken	write an original composition on some simple subject selected by Her Majesty's Inspector.			

Female pupil-teachers, before admission, must produce a certificate from the schoolmistress and managers that they possess reasonable competency as sempetresses; and, at the annual examinations, must ing certified specimens of plain needle-work to the inspector, together with a statement from the schoolmistress specifying whether they have been receiving practical instruction in any other kind of domestic industry. The inspector, at the insort of examination, or afterwards, will obtain the opinion of some competent person upon the merit of the needlework. A paper of questions on domestic economy is given to the female candidates for admission to Training Colleges at the Christians examination (Article 91).

FIRST SCHEDULE.

AT ADMISSION AND DURING THEIR ENGAGEMENT.

examinations before that date will be held according to the regulations now in force.

1	δ.		7.	8.	2	10.	11.
Arithmetic and Mathematics.		Geog.	History.	Teaching.	Additional Subjects.	Drawing. Optional,	Music. Optional
To write from dictation, and work correctly sums in the first four rules of arithmetic, simple and compound, including weights and measures. Male Pupil. Female Pupil. Teachers.		phical de- finitions; the distri- bution of		To teach a class to the satisfaction of Her Majosty's Inspector.	1. At Christmas 1874.	object drawing be worked successfully during the apprenticeship, the fact is registered, and the pupil-teacher is credited with a corresponding number of marks in any future examination under	
Practice and pro- portion (simple and com- pound).	Practice and bills of parcels.	The Brit- ish Isles. [Maps to be drawn in this and the following years.]	History of Scot- land, from Robert the Bruce, to the Union of the King- doms.	The same, and to show in creased skill in in- struction and discipline.	2. This paper will contain grammatical questions and easy passages for translation from and into English.	be worked in any order throughout the	The nature scale, and to intervals found in it. Shapes & lative value of notes a rests. Place of notes on the treble stave.
Vulgar and deci- mal frac- tions,	Proper- tion (sim- ple and com- pound).	Europe -	Outlines of British History, from the Union to the death of George III.	The same	3. Marks will also be given to any candidate at that examination who, at one of the examinations held in May of each year by the Department of Science and Art, * has taken a	3. Pupil-teachers may study and be examined (about March in each year) at any of the drawing schools in connection with the Department of Science and Art.	Relation treble stave bass. Piac of notes both. Simp common, a simple - trip time.
Interest and Per- centages; and Ruc- lid, Book I.	Vulgar fractions.	The Colo- nics.		The same .	arst class in the color of the	4. Pupil-teachers, although not study-ing at such drawing schools may be permitted (by arrangements between the managers of the schools in which they are engaged and the master of any such drawing school) to be annually examined there.	Scales and intervals of tered by sharps and flats. Compound times
Euclid, Book II, Algebra to Simple Equa- tions (in- clusive).	Decimal fractions.	Asia and Africa.		The same -	4. Male candidates may obtain marks at the admission exami- nation (Article 91) for any two, and females for any one, of these 11 subjects.	also held in November	The min scale in i distonic forms.
Ruclid, Book III., and Alge- bra, to Quadratic Equa- tions (in- clusive).	Interest, and reca- pitulation of the pre- ceding rules.	America and the Oceans.		duct a divi- sion of the school, or manage grouped classes in the class-room and specially to give a col- lective lesson	Compulsory. 5. All male pupil-teachers admitted after instigotember 1873, must choose one of the four languages specified above, and will be examined at the end of their 3d, 4th, and 5th years, according to the course laid down in Schedule IV. for the ist, 2d, and 5d years of study in that language.	ing cannot be exa- mined on the occasion of the Inspector's visit.*	The min scale in i chroma in forms, and the chromat in tervals found in it.

^{*} For detailed information respecting the means of instruction, and the places and times of examination, apply by letter to "The Secretary, Department of Science and Art, South Kensington, London, W."

N.B.—Pupil-teachers may be examined at the end of any year in subjects prescribed for preceding years in columns 4, 5, 6, 7, and 11 of this Schedule.

SECOND SCHEDULE.

Form of Memorandum of Agreement (Article 70 f.)

(N.B.--For use in Public Schools under the Management of a School Board. A similar Form is supplied by the Department for use in other Schools.)

	(To be stamped with a stamp of 6d),
1 Insert name of the School Board	MEMORANDUM OF AGREEMENT between the School Board of 1
2 Insert names, descrip-	and shereinafter called the surety, the s
tion, and address in full, of father or other person who is to be the surety of	of 4 hereinafter called the pupil-teacher.
the pupil-teacher. S Insert father, or other relation or friend of the	The said board, for themselves, and their successors, covenant with the said surety, h 5 executors, and administrators, as follows:—
pupil-teacher, as the case may be.	1. The said board agree to engage the said pupil-teacher to serve under a certificated teacher during the usual school hours in keeping the 6
4 Insert name in full of the pupil-teacher. 5 Insert his or her. 6 Insert name of the school.	public school of the said board, and teaching the scholars thereat, but so that the said pupil-teacher shall not be obliged to serve therein more than six hours upor any one day, nor more than 30 hours in any one week, Sunday being expressly excluded from this engagement.
7 The month is defined by Article 11 of the Code. 8 Insert name of preced- ing month. 9 The term must be for five full years; or any less number of years, not	2. This engagement shall begin on the first day of? 18 , and shall end on the last day of 8 18 , but if the said pupil teacher shall, with the consent of the other parties hereto, attend one of the examinations for admission into Training Colleges (or a Scotch University) in December (or October) next preceding the last-mentioned date, this engagement may end or the 31st day of the said month of December (or October).
under two, provided (a.) that the candidate has passed for admission the examination fixed for a later year in proportion to the reduced term of service; and provided also (b.) that the end of the reduced term of service fall beyond the candidate's lith year (completed).	per 11 in each subsequent year of the engagement, but such increase may be stopped at the discretion of the board for the unexpired remainder of any year after receipt of notice from the Scotch Education Department that the said
10 The sum to be inserted must be fixed at the discretion of the parties, having in view the local rate of wages, and the advantages of the school as a place wherein to learn the pusiness of a teacher. 11 Insert week, or as the	Articles. 5. The said pupil-teacher shall be liable to dismissal without notice for idleness
ing and delivering it, but need not do so together.	second, and an additional pound in each succeeding year of the engagement, bu never exceeding 6l. in the whole; such payment to be recoverable as liquidated
who sees it made. The same witness may attest more than one exe-	6. The said pupil-teacher enters into this engagement freely and voluntarily on h ⁵ own part, and with the privity and consent of the said surety.
cution.	7. The said surety agrees with the said board and their successors, to clothe, feed, lodge, and watch over the said pupil-teacher during the continuance of this engagement in a proper manner.
	Sealed and delivered 12 this day of
	by in the presence of
	Soal.
	and byin the presence of
	•

N.B.—1. This agreement must be executed by all the parties named in it, viz :-The School Board. Surety. Pupil-teacher. 2. If it be executed with blanks still remaining in it, they cannot legally be filled up afterwards, except as part of a new agreement requiring a new stamp. An incomplete agreement does not satisfy Article 32 (c.) in the Code. 3. The agreement, when executed, should be deposited with the school papers (Article 34 b.). The surety should have either an executed duplicate (which requires a second stamp) or a certified copy. The agreement exists only between the parties who execute it. THIRD SCHEDULE. I.—Form of New Agreement on Change of Managers. (N.B.—For use in Schools not under the Management of a School Board.) 1 The surety in the existing Memorandum.
2 The Managers in the original Memorandum, and the Executors of any of them who are MEMORANDUM OF AGREEMENT between 1 within and hereinafter described as the Surety; 2 the persons within described as the Managers; deceased. ³ The name, description, and address of the new Manager or Manaand 4 herein-after described as "the Managers."

1. The said Surety and the said
hereby mutually rescind the within written agreement, and agree that the same shall be henceforth determined, and of no further force as regards the future.

2. The said Surety and the said "Managers" hereby mutually agree to adopt and enter into an agreement in the same affect as the within written or Manager. mutually agree to adopt and enter into an agreement in the same words, and to the same effect as the within written agreement for the unexpired term thereof; and that the like ing Manager or Manabeligation and responsibility shall exist and be of force gerabetween them in like manner, and to all intents and purposes a must sign, but need as if the name of the said and signed thereto instead of the Each signature should have no of the said written in a senarate be written in a separate line, and must be at-tested by that of a witname of the said 6 Signed 7 this day of 187_ ness who sees it made. The same witness may in the presence of in the presence of attest more than one in the presence of signature. Affix 6d. stamp, and cancel, by each person's writing his initials and the date across it, who signs this agreement. N.B.—This memorandum must be executed by all the parties named in it, viz.:— Managers. Surety. Pupil-teacher. If it be executed with blanks still remaining in it, they cannot legally be filled up afterwards, except as part of a new agreement requiring a new stamp. An incomplete memorandum does not satisfy Article 32 (c.). II.—FORM FOR CANCELLING ENGAGEMENTS OF PUPIL-TEACHERS. (To be endorsed on the original Memorandum.)

The within written Memorandum of Agreement is cancelled by the undersigned parties, being the same parties by whom it was executed.

Witness the seal of the said Board, and the hands and seals of the other

day of

187_

parties, this

FOURTH TABLE of SPECIFIC SUBJECTS of

-	1. Mathema- tics.	2. English Literature and Language.	8. Latin.	4. Greek.	5. French.	6. German.
lst year	Algebra, notation, addition, subtrac- tion. Eu- clid, book L, prop. 1 to 15 in- clusive.	Two hundred lines of poetry, got by heart, with know-ledge of meaning and allusions. Writing a paraphrase of any easy prose passage.	Grammar, to the end of regular verbs.	Grammar, to the end of regular verbs.	Grammar, to end of irregular verbs. Ten pages of a French vocabu - lary.	Grammar, to end of irregular verbs. Ten pages of a Ger- man voca- bulary.
2d year	Algebra, to simple equations (inclusive). Budid, book I.	Three hundred lines of poetry, not before brought up, repeated; with knowledge of meaning and allusions, and of the derivations of words. Words. Three hundred lines of periods of the derivations of words.	verbs and first rules of syntax. Know - ledge of Delectus	Irregular verbs and knowledge of some easy Greek reading - book. Transla- tion of simple sentences (three or four words) into Greek.	to English	Grammar, and translation into English of easy narrative sentences. Ten pages of a German content of the content
3d year	Algebra, to quadratic equations (inclusive). Euclid, books I, II., and III. Elements of mensuration.	Three hundred lines of poetry, not before brought up, repeated; with knowledge of meaning and allusions, and some general knowledge of the history, construction, and etymology of the English language. Writing a letter or statement, the heads of the topics to be given by the inspector.		The Greek Grammar. Xeno- phon's Anabasis, book I. Somewhat longer sentences to be tran- slated from Eng- lish into Greek.	Grammar, and know-ledge of some easy French book approved by inspector. Translation of conversational sentences into French. Tolerable correctness of pronunciation.	Grammar, and know-ledge of some easy German book approved by inspector. Translation of conversation of conversations. Tolerable correctness of pronunciation

It is intended that the instruction of the scholars in the Science subjects in this Table shall vation of the phenomena presented in their own neighbourhood. If these subjects are taught powers of observation, they will be worthless as means of education. It cannot, therefore, be too strongly impressed on teachers, that nothing like learning by be directed to elicit from the Scholars as far as possible, in their own language, the ideas they

SCHEDULE.

SECULAR INSTRUCTION. (See Art. 21.)

7.	8.	9.	Phy	rsics.	12.	18.
		Animal	10.	11.		10.
Mechanics.	Chemistry.	Physiology.	Light and Heat.	Magnetism and Electricity.	Physical Geography.	Botany.
General ide-		The build of	General no- tions res-		The nature of a	
as respect- ing the dif-	and com-	the human body,	pecting the	pulsion, and polarity, as	river or stream.	of the root, stem
ferent	matter. Il-	names and	formation of	illustrated	whence it is	leaves, an
states of	lustra-	positions	shadows, and	by the mag-	supplied, and	parts of
matter,	tions of	of the in-	the reflec-	net. Terres-	what be-	the flower
solid,	combina-	ternal or-	tion of light.	trial magnet	comes of it.	illustrate
liquid, and	tion and decompo-	gans.	The forma- tion of ima-	ism, and the	Evaporation	by speci-
gaseous, with illus-	sition in		ges by a	mariner's compass.	and conden- sation. Rain,	mens of common
trations of	such bod-		looking-	Compass	snow, and	flowering
compressi-	ies as hy-		glass.	,	hail, dew and	plants.
bility, elas	drochloric		The three	ł	mist. The at-	•
ticity, and	acid, wa-		modes in which heat	1	mosphere	
resistance. Measures	ter, oxide of mercu-		may be con-		and its com- position.	
of space.	ry, and		veyed from	l	Winds. An	
time, and	rust of		one place to	l	explanation	
velocity.	iron.		another. Ef-	ł	of the terms	
			fects of heat;		river-basin,	
			expansion, melting,	i	and water-	
			boiling, and	1	shed. The boundaries	
			evaporation.	l	of the great	
			1 -		river-basins	
			D. 6	l	of Scotland.	
General no-			Refraction of	Attraction of	The ocean, its	Structure o
tions of	tion of ammonia	and respi- ration, and		light bodies by rubbed	extent and divisions,	wood, bark, and
force, and of the con-	and marsh	the broad	of objects	sealing-wax	depth, salt-	pith. Cell
servation	gas. Pre-	structure	under water.	and glass.	ness, and	and ves- sels. Foo
of energy.	paration	of the or-	Separation	Experimen-	currents.	sels. Foo
The paral-	and pro-	gans con-	of white	tal proof	Action of	of plants and man-
lelogram of forces.	perties of	cerned.	light into its components		waves. Sea beaches. The	and man-
General	oxygen, hydrogen,		by a prism.	forms of	phenomena	which a
notions of			Explanation of		of the tides.	plant
gravita-	rine.	ŀ	the thermo-	Attraction	1	grows.
tion.		i	meter.	and repul-	ì	Function
		1	The disappear- ance of heat			of the root
		<u> </u>	in the melt-		1	leaves, and diffe-
1		1	ing of solids,	acopu.		rent part
1			and the boil-	-		of the
1		}	ing of	1		flower.
G	The prepara	m	liquids. Rudimentary	Construction	Form and size	The compe
General no- tions of	tion and	and func-	explanation		of the earth.	
the me-	properties	tion of ali-				fern and
chanical	of nitrogen	menta-	obscura,	trical ma-	tions. Day	moss wit
powers.	and car-	tion. The		chine, and	and night.	a flower-
1	bon. Illus- tration of		glass, magni-	Leyden jar. Construc-	The seasons	ing plant Theforms
I	the general	of muscle and nerve.		tion of a	of the year; how they de-	
1	differences		and tele-	common bat		ferent
}	between	l .	scope.	tery. Ex-	the relative	kinds of
	metalsand		Illustration of		positions of	fruits.
1	non-met-		the differ-	a thunder-	the earth and	The struc-
1	als. Com- bination	1	ence of the specific heat	storm. Ac-	sun. Moon's dimensions	ture of a bean and
	by weight		of bodies.	rent on the	anddistance,	
1	and vol-	1	The causes of	magnet.	explanation	of wheat
1	ume. The	1	cloud, rain,	,l	of her pha-	or barley
1	use of	i	and dew.	ł	ses. General	
	symbols	i	ł	1	arrangement	
ĺ		.1	1	1		
1	and chemi-		ł	1	of the pla- netary sys-	germina- tion.

be given mainly by experiment and illustration, and in the case of Physical Geography by obserto children by definition and verbal description, instead of by making them exercise their own

rote will be accepted as sufficient for a grant, and that the Examinations by the Inspectors will have formed of what they have seen.

FIFTH SCHEDULE.

SUPPLEMENTARY RULES.

A copy of the following Supplementary Rules is sent to the correspondent of the School by the Inspector with the notice of his visit (Article 11).

RULE 1.—In column II. of the Examination Schedule the names of the qualified scholars must be entered class by class, beginning with the lowest scholar in the lowest class.

RULE 2.—The entries in column VI. must show where one class ends and another begins. The number denoting each class is to be written only once; dots ("") are to be put for each repetition of it, until the next higher class begins. There must be no intermixture of classes.

Rule 3.—The entries in column VIIb. will show where one standard ends and another begins. The number denoting each standard is to be written only once; dots ("") are to be put for each repetition of it, until the next higher standard begins. There must be no intermixture of standards.*

Rule 4.—The end of each standard in column VIIb. need not.(although, of

RULE 4.—The end of each standard in column VIIb. need not. (although, of course, it may) coincide with the end of each class in column VI.* Compare the entries opposite to No. 6 who ends a class, but not a standard; No. 8 who ends a standard but not a class; No. 16 who ends both a class and a standard (this is preferable).

RULE 5.—The managers need not present all the scholars who in each class are qualified for examination by number of attendances; but those whom they present at all must be presented in the classes to which the school registers prove them to belong, unless they fall as "Exceptions" under Rule 6.

RULE 6.—The children who, for whatever reason, are presented under a lower standard than that which an examination of the school according to the above rules assigns to their class, must be entered last in the Schedule under the title of "Exceptions," othorwise they will violate Rule 2 or 3. No child is to be placed among the "Exceptions" unless there is some special excuse for doing so,

^{*} In the following transcript of part of the Examination Schedule, Columns II., VI., and VIIb., are filled up by way of example, according to rules 2 and 3. Of course, the other Columns must not, in practice, be left blank; and the actual numbers, presented in each class, will generally be much larger.

I.	II	III.	IV.		٧	VI.	VIIa.	VIIb.						
Number.	Name.	Age (on last Birth-	Date of Admission, to this School.		of Admission; to		of On Admission		of (on Admission; to this School. Birth-		Attend- ancest	In what class of School; first means	Under what Standard LAST examined, enter I., II., III., &c. as case may	Under what Standard NOW to be examined, enter I., II., III., &c.
N		day).	Year	Month	20.2.	highest.	require.	as case may require.						
1	John Duncan					4th	1	I.						
2	Thomas Peters					>>		**						
8	Henry Brown	1				,,		**						
4	Wm. Robinson		1			,,		**						
5	Thomas Davies		1 1			,,		"						
0	Robert Ferguson.				•••••	3rd		**						
7	Luke Williams Simon Hunt		l l				ļ	. "						
8	James Short				•••••	,,	L	ři.						
10	Richard Smart	į.				"	· -	•••						
îĭ	Samuel Grant				1	2nd	i	"						
12	John Macleod	l	l 			.,,								
18	Henry Pigot	1				",	II.	ıïı.						
14	Silas Wills					,,	1	**						
15	John Millar					10		,,						
16	Peter M'Pherson.		[_**,	<u></u>	ıŸ.						
17	Charles Knox	1				lst	III.							

+ See Rule 11.

such as previous illness, &c. Prima facie, every child who is not fit to be examined in its own class has been wrongly placed there for instruction.

RULE 7.—The Inspector is directed to refuse to examine children in Schools wherein Rule 2 or 3 is violated. He will in such cases proceed to inspect the School, and will report to the Department why he has left column VIII. (his Report on each candidate) in the Examination Schedule blank.

RULE 8.—No grant will be paid to a Day School in which children are retained after the age of 8, unless one class—i.e., all who are to be examined as members of one class, according to Rule 5—be presented at least as high as Standard II.

RULE 9. - A deduction of at least one-tenth will be made from the grant to a Day School in which children are retained after the age of 10, unless one classi.e., all who are to be examined as members of one class, according to Rule 5-be presented above Standard II.

RULE 10.—To find the average number of scholars in attendance at a school for any period, ADD TOGETHER the total number of attendances (see Rule 11) marked in the Class Registers within the period, and DIVIDE the sum BY the number of times which the school has been open within the same period; the QUOTIENT is the average number in attendance.

RULE 11.—Attendance at a morning or afternoon meeting may not be reckoned for any scholar who has been under instruction in secular subjects less than two hours, nor attendance at an evening meeting for any scholar who has been under similar instruction less than one hour and a half (Article 23). The Class Registers at each meeting of a school must be marked and finally closed before the minimum time constituting an attendance begins.

If any child, entered in the Register as attending, is withdrawn from school before the time constituting an attendance is complete, a note must be made at the time by the class teacher (e.g., on a slate, or on the black-board), but the Register must not be opened for correction before the dismissal of the school.

The inspector will inquire whether these rules have been observed (Article

17h.).

RULE 12.—No child's name should be kept on the Admission Register after a fortnight's continuous absence without inquiry from the parents whether the child has been withdrawn. The names of children withdrawn (whether they are so, the answer of their parents will decide) should be cancelled at once in the Registers, and not included in the returns of age and stay at school; but the attendances (if any) opposite to such names in the class Registers, must be counted under Rule 10, supra, and the whole number of such names must be counted for the return "left in past year.'

IX.

CIRCULAR TO H.M. INSPECTORS FROM THE SCOTCH EDUCATION DEPARTMENT AS TO APPROVAL OF TIME TABLES.

SCOTCH EDUCATION DEPARTMENT. 30th June 1873.

1. I am directed to point out to you that before approving a Time Table under the Minute of the 23d of June 1873, you must ascertain that it conforms to Article 6 of the Scotch Code (1873), which embodies Section 68 of the Education Act of 1872. This is all that is essential in order that you should affix your signature.

2. But in advising Managers as to the arrangements shown on a Time Table for the distribution of work during the hours of instruction in secular

subjects, you will inform them—

(a) That payment of grants to a School depends upon the fulfilment of Article 23 of the New Code.

(b) That payment of grants for special subjects depends upon the fulfilment of Article 21.

(c) That the use of ill-adjusted Time Tables is one of the faults of instruction, for which the grant to a School may be reduced under Article 32 (b).

(d) That the two hours of secular instruction, required by Article 23 of the Code, must be the same for the whole School or Department; and—

(e) That any time allowed for recreation during the meeting of a School, may not exceed half an hour for infants under 7, or a quarter of an hour for the older scholars.

3. The Inspectors ought not to interfere with the responsibility of Managers for the details of School Work. The efficiency of their arrangements will be tested by the results produced at the annual examination of their School; but you can point out any serious objection to a Time Table which is presented to you for signature, leaving the Managers to decide whether they consider an alteration necessary.

4. If the Time Table does not show the classes and subjects entrusted to the Pupil Teachers, and the time given by the Principal Teacher, during School hours, to their technical instruction in the Art of Teaching, these particulars ought to be entered in the log book; and inquiry should be made, at the time of your visit, as to how far the arrangements so recorded are carried out in the daily work of the School.

5. You may be asked whether, and, if so, under what circumstances the Managers of a School may allow a Time Table which has been approved by an Inspector to be departed from in the daily work of the School

an Inspector to be departed from in the daily work of the School.

6. So far as a Time Table sets forth, as required by section 68 of the Education Act, the time or times to be devoted to instruction in religious subjects, no change may be made without the express sanction of the Inspector. This sanction ought not to be given, in the course of a school year, except upon formal application from the Managers, nor unless strong grounds for the change are shown. The parents of scholars attending a school ought to know for certain at what time, or times, they may withdraw their children, if they wish to do so. Any neglect of this division of the Time Table will entail a forfeiture of grants,—the loss will fall upon the Managers, and they must, therefore, see carefully and constantly to this point.

7. So far as the distribution of the time devoted to secular instruction is concerned, the case is different; as the approval by the Department required under the Act does not apply to such distribution of time. A Time Table, however, for all subjects taught, is necessary to secure order and regularity in the daily work of a school, and when once settled ought to be adhered to. It otherwise ceases to be of any use for the information of the parents, or to be a guide to the Inspector in forming his judgment of a Teacher, or in examining a School.

8. The Managers should therefore arrange with the Inspector at his yearly visit what the Time Table for the ensuing year is to be; if they allow it to be altered permanently during the school year a special note of

and a copy of the Table, as corrected, ought to be at once put up in the School.

9. Occasional deviations from the Table may be allowed without so formal a record, but they also should be noted by the Teacher in the Log Book; and if frequently resorted to without special reason they must be regarded as a proof of the Teacher's inefficiency, and may cause the grant to the School to be reduced.

10. You will therefore read the 6th paragraph of the minute as referring to the Time Table, so far as it has been approved under section 68 of the

Education Act; but so far as the hours of secular instruction are concerned. you will note in the Log Book, for the information of the Managers, every case in which you find a school not being taught according to the ordinary Time Table, unless there is a record in the Log Book of the reason why the order of instruction set forth in such Table has not been observed.

11. The Time Table, when it has been signed by an Inspector, must be regarded as part of the property of a School. It has to be submitted to the Inspector by the Managers, and may not be taken away by a Teacher on leaving their service.—I have the honour to be, Sir, your obedient servant,

F. R. SANDFORD.

MINUTE OF THE SCOTCH EDUCATION DEPARTMENT AS TO APPROVAL OF TIME TABLES.

At the Council Chamber, Whitehall, the 23d day of June 1873. By the Lords of the Committee of Her Majesty's Most Honourable Privy Council on Education in Scotland.

Read :-

Section 68 of the Education (Scotland) Act, 1872, and Articles 6, 12, 21, and 23* of the Scotch Code, 1873.

 Article 6. In every school, or department of a school, in respect of which grants are made, the following regulations must be strictly observed:—
 "The school shall be open to children of all denominations, and any child may be withdrawn by his parents from any instruction in religious subjects, and from any religious observance in any such school; and no child shall in any such school be placed at any disadvantage with respect to the secular instruction given therein by reason of the denomination to which such child or his parents belong, or by reason of his being withdrawn from any instruction in religious subjects."

b. "The time or times during which any religious observance is practised or instruction in religious subjects is given at any meeting of the school for elementary instruction shall be either at the beginning or at the end of at the beginning and at the end of such meeting, and shall be specified in a table approved of by the Scotch Education Department." (Education Act, sec. 68.) This time table is to be submitted to the Inspector for approval, on behalf of the Department, at the time of his annual visit (Article 11).

c. The education given must consist chiefly of elementary instruction (Article 28). d. The ordinary payments in respect of the instruction, from each child, must not exceed ninepence a week.

Article 12. An inspector may visit any public school, or other school subject to inspection, at any other time without notice.

Article 21. If the time table of the school, in use throughout the year, has provided for one or more specific subjects of secular instruction according to the table in

Schedule IV

a. A grant of 4s. per subject may be made for every day scholar presented in Standards IV.-VI. (Article 28) who passes a satisfactory examination in not more than two of such subjects.

b. Any scholar who has previously passed in Standard VI. may be presented for examination in any three of such specific subjects.
c. The amount claimed under this Article is not taken into account in making any reduction under Article 32 (a.), 2.
d. No grant may be claimed under this Article on account of any scholar who has been examined, in the same subject, within the preceding year, by the Department of Science and Art ment of Science and Art.

Article 23. Attendance at a morning or afternoon meeting may not be reckoned for any scholar who has been under instruction in secular subjects less than two hours, nor attendance at an evening meeting for any scholar who has been under similar instruction less than one hour and a half.

Resolved:-

- 1. That the time table of every public school and other school subject to inspection shall be submitted to the Inspector of the district, at his first visit to the school after the 31st of August 1873.
- 2. That the Inspector shall enter on every time table which satisfies the prescribed conditions, "approved on behalf of the Education Department as fulfilling the requirements of Section 68 of the Education Act, 1872," with his signature and the date of his visit.
- 3. That the Inspector may approve any time table which, while conforming to Section 68 of the Education Act, in respect to the time or times appointed for religious observances or instruction, sets apart for instruction in secular subjects at least two consecutive hours at each morning and afternoon meeting, and one hour and a half at each evening meeting of the school.
- 4. That the Inspector shall not express any opinion as to the time or times appointed for religious observances or instruction, or as to the nature of such instruction, but shall confine himself to seeing that the prescribed amount of time is secured for secular instruction.
- 5. That before signing the time table the Inspector shall satisfy himself—

(1.) That the time table is printed, or written, in distinct characters, and that sufficient copies of it are provided to be put up in every schoolroom.

- (2.) That, if the school premises admit of it, the children withdrawn by their parents from religious observances or instruction, receive, by themselves, instruction in secular subjects during the time or times set apart for religious instruction or observances.
- 6. That the Inspector shall report to the Scotch Education Department if, at any visit which he pays to a school without notice, he finds that the work of the school is not being carried on according to the approved time table, or that the time table itself is not exhibited in every schoolroom.
- 7. That if any five parents or guardians of scholars for the time being attending a school make complaint in writing to the Department that a time table, approved by the Inspector, is not in accordance with this Minute, or that the work of the school is not carried on according to the approved time table, the Department, on receiving such complaint, shall make such inquiry and order in the matter as they may think fit.
- 8. That copies of this Minute be forwarded, for their information and guidance, to Her Majesty's Inspectors of Schools.

MINUTE OF THE SCOTCH EDUCATION DEPARTMENT MODIFYING CERTAIN PROVISIONS OF THE 66TH ARTICLE OF THE SCOTCH CODE (1873).

At the Council Chamber, Whitehall, the 24th day of June 1873. By the Lords of the Committee of Her Majesty's Most Honourable Privy Council on Education in Scotland.

Their Lordships having considered various representations made to the Scotch Education Department respecting the status of the teachers of Public Schools in Scotland, and the professional training which many of them had received, previous to the passing of the Education Scotland Act of 1872.

Resolved:-To modify Article 66 of the Scotch Code (1873) as follows:—

Article 66 of Scotch Code (1873).

- 66. A certificate will be granted on the following conditions, to every person who at the date (6th August 1872) of the passing of the Scotch Education Act, was the principal teacher of a public school, as defined by that Act, or teacher in a burgh school and a member of the council of a Scotch University (Education Act, s. 56):-
 - (1.) Such persons being graduates of a Scotch University, will, if they are above 30 years of age, and have been employed as teachers for 10 years, receive certificates of the first class.
 - (2.) If, being graduates, they are under 30 years of age, or have served as teachers for less than 10 years, they will receive certificates of the second class, which will be subject to Article 54 (b.).
 - (3.) If the teachers are not graduates, the certificates will be of the fourth class, and will be subject to Articles 57 and 58.
 - (4.) The certificates will be issued on a favourable report from an in-spector, on any public school, to which grants are or may be made, under the charge of such teacher.

Same Article as modified.

- 66. A certificate will be granted on the following conditions, to every person who at the date (6th August 1872) of the passing of the Scotch Education Act, was the principal teacher of a public school, as defined by that Act; or—
 teacher in a burgh school and a mem
 - ber of the council of a Scotch Uni
 - tersity (Education Act, s. 56.):—

 (1.) Such persons being graduates or members of Council of a Scotch University, will, if they are above 30 years of age, and have been employed as teachers for 10 years, re-ceive certificates of the first class.
 - (2.) If, being graduates, or members of Council, they are under 30 years of age, or have served as teachers for less than 10 years, they will receive cer-tificates of the second class, which will be subject to Article 54 (b.).
 - (3.) In all other cases the certificates will be of the third class (Article 55).
 - (4.) The certificates will be issued on a favourable report from an inspector, on any public school, to which grants are or may be made, under the charge of such teacher.

X.

HIGHLAND SCHOOLS (SCOTLAND) ACT.

A.D. 1873 An Act to make better provision respecting certain sums payable to Schoolmasters of Highland Schools under the Act of the session of the first and second years of the reign of Her present Majesty, chapter eighty-seven, intituled "An Act to facilitate "the foundation and endowment of additional Schools in Scot-"land." (28th July 1873.)

Whereas in pursuance of the Act of the session of the first and 1 & 2 Vict. second years of the reign of Her present Majesty, chapter eightyc. 87.

seven, intituled "An Act to facilitate the foundation and endowment "of additional Schools in Scotland," (in this Act referred to as the Highland Schools Act, 1838,) the Commissioners of Her Majesty's Treasury (hereafter referred to as the Treasury), have purchased twenty-four thousand six-hundred and sixty-six pounds ten shillings and fourpence three per cent. consolidated bank annuities in the names of their nominees:

And whereas at the passing of the Education (Scotland) Act, Vict. c. 62. 1872, there was payable in pursuance of the Highland Schools Act, 1838, out of the dividends of the said bank annuities, to the school-master appointed in each of the parishes specified in the first column of the schedule to this Act, the annual sum set opposite to the name of such parish in the second column of that schedule, and the dividends of the said bank annuities are insufficient to pay such annual sums, but such insufficiency could have been supplied under the Highland Schools Act, 1838, if the same had not been repealed:

35 & 36

And whereas by the Education (Scotland) Act, 1872, the High-Vict. c. 62. land Schools Act, 1838, was repealed in general terms, subject to the following proviso: "Provided that any sum payable to a "schoolmaster prior to the passing of this Act under the Act of "the first and second years of the reign of her present Majesty, "chapter eighty-seven, shall continue to be paid to him so long as "he holds the office of schoolmaster on account of which such sum "was payable to him, and shall thereafter be paid to the school "board of the parish in which he held such office for the purposes "of the school fund," but no provision was made for the disposal of the said bank annuities or for meeting the said insufficiency of the dividends thereof to pay the said sums:

35 & 36 And whereas by the Education (Scotland) Act, 1872, the school Vict. c. 62. board was substituted for the heritors in every parish:

And whereas it is expedient expressly to repeal the Highland Schools Act, 1838, and make such provision respecting the said bank annuities and annual sums as is herein-after contained:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

A.D. 1873

PRELIMINARY.

1. This Act may be cited as the Highland Schools Act, 1873.

Short title.

ENDOWMENT SCHOOLS.

2. The annual sums mentioned in the schedule to this Act shall, Charge of after the passing of this Act, be charged on the Consolidated Fund sums in of the United Kingdom, and the Treasury shall by equal half-yearly schedule payments in every year pay out of the Consolidated Fund or the lidated growing produce thereof, to the school board of every parish named Fund, and in the first column of the schedule to this Act, for the purposes of payment the school fund, the annual sum which in the second column of that thereof to schedule is placed opposite to the name of such parish.

school board.

TEMPORARY PROVISIONS AND REPEAL

3. So long as any schoolmaster to whom any of the annual sums Provision mentioned in the schedule to this Act was at the passing of this for exist-Act payable in pursuance of the Highland Schools Act, 1838, con- ing school-tinues to hold his office, the school board shall pay to him every masters half-yearly payment of that annual sum as soon as may be after they past tranreceive the same.

sactions, Such portion of the said annual sums as before the passing of and day of this Act the dividends on the said consolidated bank annuities have first paybeen insufficient to pay shall be deemed to have been charged, since ment. the passing of the Education (Scotland) Act, 1872, on the Consoli- 1 & 2 Vict. dated Fund, and shall be paid or repaid out of the same or out of c. 87.

the growing produce thereof.

The first half-yearly payment of the said annual sums in pursuance of this Act shall be made on the eleventh day of November one thousand eight hundred and seventy-three.

4. As soon as may be after the passing of this Act, the Treasury Cancellashall by warrant direct the Governor and Company of the Bank of tion of England to transfer all the consolidated three per cent. bank annuiconsols ties standing in the books of the said governor and company in the under 1 & names of the nominees of the Treasury in pursuance of the Highland 2 Vict. Schools Act, 1838, to the Commissioners for the Reduction of the c. 87. National Debt, and on the said transfer being made, to cancel the same, and thereupon the Governor and Company of the Bank of England shall cause such sums of bank annuities to be transferred and cancelled by one of their officers, and any dividends which at the time of the transfer may be due on such bank annuities shall be applied in payment of the annual sums mentioned in the schedule to this Act.

5. The Highland Schools Act, 1838, and section seventy-eight of 1 & 2 Vict. the Education (Scotland) Act, 1872, from the words " and provided 78 of 35 & "... "that any sum payable to a schoolmaster," inclusive, to the end of 36 Vict. c. that section, are hereby repealed.

A.D. 1873

SCHEDULE.

Annual Sums payable at the passing of 35 & 36 Vict. c. 62, to the Schoolmasters of the Parishes named below under 1 & 2 Vict. c. 87.

Parish.	•					Annual Sum			
							£	8.	d.
1. Acharacle	•			,		•	34	0	0
2. Balligrant	•	•	•	•		•	34	0	0
3. Croick	•	•	•	•			28	0	0
4. Cross .	•	•		•	•	•	25	0	0
5. Dunbeath	•		•	•		•	2 8	0	0
6. Duror .		•	•	•		•	20	0	0
7. Dunskellar	•	•		•	•	•	34	0	0
8. Foss .		•		•			32	0	0
9. Insh .		•	•	•		•	34	0	0
10. Iona .	•	•	•	•	•	•	32	0	0
11. Keanlochberv	ie	•	•	•		•	34	0	0
12. Keiss .	•	•	•	•	•	•	3 0	0	0
13. Kinlochluich		•	•	•	•	•	30	0	0
14. Kinlochspelv	ie	•	•	•	•	•	20	0	0
15. Laid or Poole	W8	•	•	•	•	•	34	0	0
16. Lochgilphead	•	•	•	•	•	•	34	0	0
17. Oa .	•	•	•	•		•	30	0	0
18. Ownich	•			•		•	30	0	0
19. Portnahaven	•	•	•	•	•	•	30	0	0
20. North Ronald	lshay	•			•		3 0	0	0
21. Rannoch	•	•		•		•	3 0	0	0
22. Salen .	•	•		•		•	30	0	0
23. Stenchol	•	•	•	•		•	3 0	0	0
24. Stoer .		•	•	•		•	30	0	0
25. Strathy		•		•		•	25	0	0
26. Strontian	•	•	•	•	•	•	30	0	0
27. Tobermory	•	•	•	• ,	•		34	0	0
28. Tomintoul	•	•	•	•			3 0	0	0
29. Ullapool		•	•	•		•	32	0	0
30. Ulva .	•	•	•	•	•	•	25	0	0
				Total			£899		0

XI.

FORM OF CONVEYANCE FOR TRANSFERENCE OF A SCHOOL TO A SCHOOL BOARD.¹

We (names and designations of grantors) do hereby, in virtue and in terms of "The Education (Scotland) Act, 1872," dispone to and in favour of the school board of the parish of (or the burgh of), heritably and irredeemably, All and Whole (describe the subjects conveyed), with entry at the date hereof (or otherwise as the case may be): To be holden the said subjects and others, a me vel de me; and we resign the said subjects and others for new infeftment or investiture; and we assign the writs, and have delivered the same according to inventory: and we assign the rents; and we bind ourselves to free and relieve the said disponees of all feu-duties, casualties, and public burdens; and we grant warrandice from our own facts and deeds only; and we consent to registration hereof for preservation: In witness whereof (insert a testing clause in the usual form).

witness whereof (insert a testing clause in the usual form).

If the subjects conveyed are held burgage, then, after the inductive and dispositive clauses, the deed may proceed thus: With entry at the date hereof: to be holden the said subjects and others of her Majesty in free burgage; and we assign the writs, and have delivered the same, according to inventory; and we assign the rents; and we bind ourselves to free and relieve the said disponees of all ground-annual, cess, annuity, and other public burdens; and we grant warrandice from our own facts and deeds only; and we consent to registration hereof for

preservation: In witness whereof, &c.

Form of Warrant of Registration to be written on the Conveyance.

Register on behalf of the school board of the parish (or burgh) of , in the register of the county of (here insert the name of the county in which the subjects are situated); or if the subjects be held burgage, in the register of the burgh of (insert name of burgh).

(Signed)

A. B.,

W.S., Edinburgh, Agent.

¹ Cf. § 39, p. xxii and 25. This form of conveyance is given here as a form of an ordinary disposition. School boards will be guided by their legal advisers as to the particular form of conveyance which would be applicable to their particular circumstances.

XII.

REPEALED ACTS.

WILLIAM III. Cap. 26.

Act for Settling of Schools.—[9th October 1696.]

Our Sovereign Lord considering, how prejudicial the want of schools in many places have been, and how beneficial the establishing and settling thereof in every parish will be to this Church and kingdom: Therefore his Majesty, with advice and consent of the Estates of Parliament, statutes and ordains, that there be a school settled and established, and a schoolmaster appointed in every parish not already provided, by advice of the heritors and minister of the parish; and for that effect, that the heritors in every parish meet, and provide a commodious house for a school, and settle and modify a sallary to a schoolmaster, which shall not be under one hundred merks, nor above two hundred merks, to be paid yearly at two terms, Whitsunday and Martinmas, by equal portions, and that they stent and lay on the said sallary conform to every heritors valued rent within the parish, allowing each heritor relief from his tenants of the half of his proportion for settling and maintaining of a school, and payment of the school-master's sallary; which sallary is declared to be by and attour the casualities, which formerly belonged to the readers and clerks of the kirk session. And if the heritors, or major part of them shall not conveen, or being conveened, shall not agree among themselves; then, and in that case, the presbytery shall apply to the commissioners of the supply of the shire, who, or any five of them, shall have power to establish a school, and settle and modify a sallary for a schoolmaster, not being under one hundred merks, nor above two hundred merks yearly, as said is; and to stent and lay on the samen upon the heritors conform to their valued rent, which shall be as valid and effectual as if it had been done by the heritors themselves. And because the proportion imposed upon every heritor will be but small; therefore, for the better and more ready payment thereof, it is statute and ordained, that, if two terms proportions run in the third unpaid, then these that so fail in payment, shall be liable in the double of their proportions then resting, and in the double of every term's proportion that shall be resting thereafter, ay and while the schoolmaster be compleatly paid, and that without any defalcation; and that letters of horning, and all other executorials necessary, be directed at the instance of the schoolmaster, for payment of the said stipend, and double of the proportions in manner foresaid; and discharges all suspensions to pass against schoolmasters of the sallaries, except upon consignation, or a valid discharge: And if any suspension be past, that the Lords discuss the samen summarily, without abiding the course of the Roll. And it is hereby declared, that liferenters, during their lifetime, shall be liable in payment of the proportions imposed on the lands liferented, and execution, in manner foresaid, shall pass against them for that effect, and the heritors shall be always free of the same, during the liferenters lifetime; and if any person find themselves wronged by the inequality of the proportions imposed, it shall be lawful for them to seek redress thereof before the Commissioners of Supply, Sheriff of the shire, or other judge competent, within the space of year and

day after the imposing of the stent, and no otherwise. As also, it is declared, that the providing of the said schools and schoolmasters, is a pious use within the parish, to which it shall be lawful and leisume to patrons, to employ the vacant stipends as they shall see cause, excepting from this Act the bounds of the Synod of Argyle; in respect, that, by a former Act of Parliament in the year one thousand six hundred and ninety, the vacant stipends within the said bounds are destined for the setting up and maintaining of schools in manner therein-mentioned; and the said vacant stipends are hereby expressly appointed to be thereto applied, at the sight of the Sheriff of the bounds foresaid. And lastly, his Majesty, with advice and consent foresaid, ratifies and approves all former laws, customs and constitutions, made for establishing and maintaining of schools within the kingdom, in so far as the same are not altered nor innovate by this present Act.

43 George III. Cap. 54.

An Act for making better Provision for the Parochial Schoolmasters, and for making further Regulations for the better Government of the Parish Schools in Scotland.—[11th June 1803.]

Whereas the parish schoolmasters in Scotland are a most useful body of men, and their labours have been of essential importance to the publick welfare: And whereas by an Act passed in the Parliament of Scotland, in the reign of King William the Third, in the year one thousand six hundred and ninety-six [Scotch Act], intituled, Act for settling of Schools, it is, interalia, statuted and ordained, that there be a school settled and established, and a schoolmaster appointed, in every parish not already provided, by advice of the heritors and minister of the parish; and for that effect, that the heritors in every parish meet and provide a commodious house for a school, and settle and modify a salary to a schoolmaster, which shall not be under one hundred merks nor above two hundred merks Scots, to be paid yearly, at two terms, Whitsunday and Martinmas, by equal portions; and certain rules and regulations were laid down by the said Act, relative to the apportioning and payment of the said salary by the heritors of the parish: And whereas the highest salary by the said Act granted, amounting only to eleven pounds two shillings and two-pence two-thirds of a penny sterling, which by difference in the value of money, and change in the circumstances of the country, has become a provision altogether inadequate for a body of men whose labours are of so great publick utility:

Salary to Schoolmasters.

May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that, from and after the term of Martinmas next, the salary of each parochial schoolmaster in every parish of Scotland shall not be under the sum of three hundred merks Scots per annum, nor above the sum of four hundred merks Scots per annum, except in the cases herein-after mentioned.

Heritors and Minister of the Parish to fix such Salaries.

2. And be it further enacted, That within three months after the passing of this Act, the heritors possessed of the qualification required by this Act, and the minister of every parish, shall hold a meeting, of which intimation

shall be given from the pulpit immediately after divine service in the forenoon, and by circular letters, to be written by the minister of the parish, to
such heritors having the qualification prescribed by this Act, who are nonresident, and also by leaving a written notice at the mansion house of every
heritor, whether resident or not, at least thirty free days, before such meeting shall take place; and on due consideration of the circumstances of the
particular parish in respect of extent, population, and valued rent, and the
probable amount of the other emoluments of the schoolmaster's office, such
meeting shall judge and determine whether the schoolmaster's salary shall
be three hundred merks Scots per annum, or four hundred merks Scots per
annum, or such sum between these two sums as to such meeting shall seem
most suitable to the circumstances of the parish, and shall fix and determine the amount of the schoolmaster's salary, to be paid to the schoolmaster,
by a resolution to be made at such meeting, a copy of which resolution,
signed by the preses of the meeting, shall be delivered to the schoolmaster
of the parish as his authority for collecting and receiving the salary thereby
fixed and determined, which shall be paid by the several heritors at the
same terms apportioned among them, in the same manner, and with the
same relief against their tenants, as is provided by the aforesaid Act of the
Parliament of Scotland, passed in the year one thousand six hundred and
ninety-six:

Salaries payable in Grain or Meal to continue to be so paid; and to be estimated at the rate of 200 merks per Chalder.

Provided always, that no salary at present payable to any schoolmaster shall be diminished; and in all cases where any such salary or any part thereof is payable in grain or meal, such salary in grain or meal shall continue to be paid and payable in the same manner as heretofore, with such additions thereto in money, as to such meeting shall seem proper; and in fixing and determining the amount of the salary to be paid pursuant to this Act, such grain or meal making part of such salary shall be estimated at the rate of two hundred merks per chalder.

Salaries so fixed to be payable for 25 Years.

3. And be it enacted, That the salaries so fixed and determined in manner above directed, shall continue to be the salaries payable to the school-master of every parish for and during the period of twenty-five years from and after the passing of this Act.

Mode of fixing the average Price of a Chalder of Oatmeal.

And within three years after the expiration of twenty-five years from the passing of this Act, the sheriff or stewart of every county or stewartry shall fix and determine according to the average amount of the fiars of the county or stewartry for the twenty-five years preceding, what is the value or average price of a chalder of oatmeal, and he shall make a return of such average to the office of King's Remembrancer in Exchequer in Scotland, and the Lord Chief Baron and Barons of Exchequer are hereby empowered and required, from such returns by the sheriffs and stewarts of Scotland, to strike the average price of a chalder of oatmeal for all Scotland; and an order of the said Court of Exchequer fixing such average shall, within three months from the date of the last return by the sheriffs and stewarts, be published by the King's Remembrancer in the Edinburgh Gazette, and such other Scots newspapers as he shall deem sufficient, for three successive

weeks, and a copy thereof shall also be transmitted by the said Remembrancer to the sheriff or stewart clerk of every shire or stewartry in Scotland;

Average Price so ascertained shall be the Rate by which the Schoolmasters' Salaries shall be fixed.

Which average so ascertained shall be the rate according to which the schoolmasters' salary shall be fixed in the manner herein-after directed, and the sheriff or stewart clerk shall transmit a certificate thereof, signed by him, to the minister of each parish within the county or stewartry, to be by him submitted to the meeting directed to be called in manner immediately after mentioned.

Heritors and Minister to meet within Three Months after the Date of Certificate of such average Price and fix the Amount of Schoolmasters' Salaries.

4. And be it enacted, That within three months after the date of such certificate, the heritor possessed of the qualification required by this Act, and the minister of every parish in Scotland, shall hold a meeting, of which intimation shall be given from the pulpit immediately after divine service in the forenoon, and by circular letters to be written by the minister of the parish to such heritors having the qualification prescribed by this Act, who are non-resident, and also by leaving a written notice at the mansion house of every heritor whether resident or not, at least thirty free days before such meeting shall take place; and on due consideration of the circumstances of the particular parish in respect of extent, population, and valued rent, such meeting shall judge and determine whether the schoolmasters' salary of the same shall be equal to the average price of one chalder and a half, or of two chalders of oatmeal according to the amount thereof, ascertained by the aforesaid certificate, or to such proportion between them as to such meeting shall seem most suitable to the circumstances of the parish, and shall fix and determine the amount of the schoolmaster's salary, to be paid pursuant to such average, and their resolution thereupon; a copy of which resolution, signed by the preses of the meeting, shall be delivered to the schoolmaster of the parish, as his authority for collecting and receiving the salary thereby fixed and determined, which shall be paid to him by the several heritors at the same terms apportioned among them, in the same manner, and with the same relief against their tenants, as is provided by the aforesaid Act of Parliament of Scotland, in the year one thousand six hundred and ninety-

In case of Neglect, or Dissatisfaction with the Determination, Appeal may be made to the next Quarter Sessions.

5. Provided always, and be it enacted, That in case the heritors and minister shall neglect or refuse to determine the amount of the salary to be paid to the schoolmaster according to the provisions of the Act, or in case any heritor, or the schoolmaster shall be dissatisfied with the determination made, it shall be competent within three months after such meeting ought to have been held, or such determination shall have been made, for the schoolmaster to apply, or for such person so dissatisfied to appeal, to the next quarter sessions held for the shire or stewartry within the bounds of which the parish or parish kirk lies, whose judgment shall be final, and no appeal by advocation, suspension, or otherwise, shall be admitted against the judgment given at such quarter sessions: Provided always, that no heritor of the parish from whence such appeal comes shall vote upon such appeal at such quarter sessions.

- At the end of every 25 Years, the average Price of the Chalder of Oatmeal, and the Schoolmaster's Salary shall be ascertained and fixed in Manner before directed.
- 6. Provided always, and be it enacted, That after twenty-five years shall have elapsed from the time the amount of a schoolmaster's salary shall have been so fixed, the sheriff of a shire, stewart of a stewartry shall within three months again determine the average price of a chalder of catmeal in the manner directed by this Act; and shall, as above directed, return the same to the office of King's Remembrancer in Exchequer, and the Lord Chief Baron and Barons of Exchequer shall again by an order of court fix the average price for all Scotland; and the King's Remembrancer shall again transmit a copy of said order of court to the sheriff or stewart clerk of each shire or stewartry, and the said sheriff or stewart clerk shall again publish the same in the Edinburgh Gazette and Scots newspapers, and transmit a certificate of said average and order of court to the minister of each parish within his shire and stewartry, and the heritors and ministers shall again fix and determine the schoolmaster's salary according to such average, such salary never being less than the value of one chalder and a half, nor more than two chalders for the next twenty-five years, and so totics quoties at the end of every twenty-five years for ever, unless altered by Parliament, and every such determination of salary shall be liable to sppeal to the quarter sessions, in manner and to the effect above directed.

Where there is but One qualified Heritor, he shall have Two Votes.

- 7. Provided always, and be it enacted, That in every parish where there is only one heritor qualified as herein-after prescribed, such heritor shall have two votes at every meeting directed to be held pursuant to this Act; and in all meetings where no preses has been chosen, the heritor present possessed of the highest valuation shall have the casting vote.
 - A School-house and Dwelling-house and Garden to be provided where there are none.
- 8. And be it further enacted, That in every parish where a commodious house for a school has not already been provided, pursuant to the directions in the above recited Act, and in every parish where a dwelling-house for the residence of the schoolmaster has not already been provided together with a portion of ground for a garden to the extent hereafter mentioned, the heritors of every such parish shall provide a commodious house for a school, and also a house for the residence of the schoolmaster, such house not consisting of more than two apartments including the kitchen, together with a portion of ground for a garden to such dwelling-house, from fields used for the ordinary purposes of agriculture or pasturage, as near and convenient to the schoolmaster's dwelling-house as reasonably may be, which garden shall contain at least one-fourth part of a Scots acre, and shall be inclosed with such fence as is generally used for such purposes in the district of the county where it is situated; and the expence of providing such school-house, dwelling-house, and garden, and supporting the same, shall be defrayed and paid in the same and like manner as is prescribed for providing a house for a school by the aforesaid Act of the Parliament of Scotland:

If a Garden cannot be allotted, an addition to Salary shall be allowed. Providing always, that where the heritors shall determine that such garden cannot be allotted to the schoolmaster without great loss and inconvenience, it shall be optional to them, with the authority of the quarter sessions of the county or stewartry, to assign to the schoolmaster in lieu of such garden an addition to his salary, at the rate of eight bolls of oatmeal per acre, to be computed according to the average ascertained in manner herein-before directed.

In case of Neglect or Dissatisfaction, Schoolmasters may apply to Quarter Sessions.

9. And be it further enacted, That in case the heritors shall neglect or refuse to provide the accommodations of house, school-house, and garden, or additional salary in lieu thereof, to schoolmasters according to the provisions of this Act, or in case the schoolmaster shall not be satisfied with the Accommodations afforded him, it shall be competent for him to bring the same by representation or petition before the quarter sessions held for the shire or stewartry to which the parish of which he is schoolmaster belongs, or in which the parish kirk is situated; and in all such cases the judgment of the quarter sessions shall be final, without any further appeal by advocation, suspension, or otherwise: Provided always, that no justice of the peace who shall be an heritor in the parish of such schoolmaster shall vote upon such representation or petition.

Relief to Heritors, whose Ground shall be taken for School-house, &c. shall be settled by the Sheriff.

10. Provided always, and be it enacted, That the heritor or heritors from whose estates any ground shall be taken for the purpose of such schoolhouse, dwelling-house, and garden, shall have his, her, or their relief against the other heritors of the parish, for the value of the ground so to be taken in proportion to the valued rent of the lands belonging to the whole heritors in the parish; such relief to be settled only by the sheriff or stewart of the county or stewartry, without appeal by advocation, suspension, or otherwise.

Regulations to be observed when Parishes consist of Two or more Islands, or of great Extent, where One Parochial School would be insufficient.

11. And be it enacted, That in case of those parishes which consist of districts detached from each other by the sea or arms of the sea, or otherwise, as where a parish consists of two or more islands, of which there are several instances in the Highlands, North Isles, and *Hebrides*, or where it is otherwise of great extent or population, so that one parochial school cannot be of any effectual benefit to the whole inhabitants of such parishes, it shall be competent to the heritors and minister if they shall see cause on fixing a salary of six hundred merks, or the value of three chalders of oatmeal, to be computed according to the provisions of this Act, to divide the same among two or more teachers according to the extent and population of the parish; and these proportions so divided shall be paid to teachers of schools in the same way and manner, and under the same conditions, as hereafter are specified by this Act, for supplying vacant parochial schools with masters; but in respect that the heritors of such parishes are to pay an higher salary, they are hereby exempted from the obligation of providing school-houses, dwelling-houses, and gardens, for the teachers among whom the salary is to be divided in the manner aforesaid; and in case a difference of opinion shall arise among the heritors respecting the propriety and usefulness of such division of the salary, the same shall be submitted by petition or representation to the quarter sessions of the shire or stewartry within the bounds of which the parish or parish kirk is situated; and the judgement thus obtained shall be final without appeal by advocation, suspension, or otherwise.

Not to extend to Royal Burghs.

12. Provided always, and be it enacted, That none of the provisions of this Act shall apply to the case of a parish, which consists only of a royal burgh or part of a royal burgh.

Where a Parish consists of a Burgh and a Landward Heritor, Schoolmaster to be appointed and maintained as heretofore, &c.

13. And be it further declared, That where a parish consists of a royal burgh, or part of a royal burgh, and a landward heritor or heritors, the schoolmaster shall be appointed and maintained by the burgh, or by the landward heritor or heritors, or by the burgh and landward heritors, in the same way and manner, and according to the same proportions that have hitherto been observed in such parish; the salary and accommodations being always equal in value to those provided by this Act, and the same remedy being allowed in case they are otherwise, and to be applied for in the manner already specially pointed out; and provided any additions shall be granted, the same shall be paid in the same proportions by the parties from whom the present salary is received.

Schoolmasters to be elected in Cases of Vacancies.

14. And be it enacted, That, from and after the passing of this Act, in case of vacancy in the office of schoolmaster, by death or otherwise, the minister of the parish shall within fifteen days, intimate or cause to be intimated from the pulpit, immediately after divine service in the forenoon, the vacancy which has taken place, and communicate the knowledge of the same by letter to such heritor or heritors as may be non-resident; and the heritors possessed of the qualification required by this Act, with the minister of the parish, are hereby appointed to hold a meeting, of which intimate of the parish be given by the minister, by edictal citation and circular letters to such as are non-resident, at least thirty free days before it takes place; and such meeting or adjourned meeting shall elect a person to the vacant office of schoolmaster; and in the event of the parish being vacant, the presbytery shall appoint some one of their number to make the intimations and give the notices which, according to the provisions of this Act, the minister is required to do.

On Failure, the Commissioners of Supply to appoint.

15. Provided always, and be it enacted, That if the heritors qualified as is hereby required, and minister, shall fail to elect a schoolmaster within four calendar months from the time the vacancy shall have taken place, then the presbytery within the bounds of which the parish is situated, shall apply to the convener of the Commissioners of Supply of the country or stewartry, who, or any five of them, at a meeting to be called by the convener upon thirty days notice, shall have power, jure devoluto, and are hereby directed to elect a person to supply the vacancy.

Schoolmasters to be Examined and Approved by the Presbytery.

16. And be it further enacted, That every schoolmaster elected under the provisions of this Act, shall carry the minutes, or an extract or certified copy of the minutes of his election to the presbytery, accompanied with attestations of his having taken the oath to his Majesty before any one of his Majesty's Justices of the Peace; and the presbytery shall thereupon take trial of his sufficiency for the office, in respect of morality and religion, and of such branches of literature as by the majority of heritors and minister shall be deemed most necessary and important for the parish, by examination of the presentee, by certificates and recommendations in his favour, by their own personal inquiry or otherwise, and shall see him sign the Confession of Faith and Formula of the Church of Scotland; and their judgment or determination as to the qualifications of such presentee for the

office of schoolmaster shall not be reviewed or suspended by any court, civil or ecclesiastical; and provided they are satisfied with the same, he shall be furnished with an extract from their minutes, bearing that he had appeared, produced the attestations required, and had been found on trial duly qualified for discharging the duties of the office to which he had been elected, which extract shall complete his right to the emoluments provided by this Act.

If found unqualified, Time allowed to the Heritors and Minister.

17. Provided always, and be it enacted, That in case the person elected is not found duly qualified, the heritors and minister shall only be allowed what remained of the four months, at the time of his election, with so many days more as required by this Act.

Heritors and Minister to fix the School Fees.

18. And be it further enacted, That the heritors qualified as is hereby required, and minister, in a meeting called on thirty days notification from the pulpit, and by letter from the minister to the non-resident heritors, and by notice to be left at the mansion house of each heritor, whether resident or not, shall have the power of fixing the school fees from time to time as they shall judge expedient; and a table of such fees, signed by the preses of the meeting, shall be hung up in the schoolroom: Provided always, that the schoolmaster shall be obliged to teach such poor children of the parish as shall be recommended by the heritors and minister at any parochial meeting.

Superintendence of Schools continued to Ministers.

19. And be it enacted, That the superintendance of schools shall continue with the ministers of the Established Church as heretofore, according to the several Acts of Parliament respecting the same, except in so far as altered by this present Act.

Presbyteries to regulate Hours of Teaching.

20. And be it enacted, That as often as presbyteries in the course of their visitation, shall find any thing wrong with respect to the hours of teaching, or the length of the vacation annually given, or when any complaint shall be made to them upon those subjects by parties concerned, they shall have the power of regulating the same in the manner they may judge most consistent with the particular circumstances and general good of the parish; and the schoolmaster is hereby required to conform to and obey all regulations so made by the presbytery, under pain of censure or suspension from or deprivation of his office, as to the presbytery shall seem proper.

And to take Cognisance of Schoolmasters Conduct.

21. And be it enacted, That when any complaint from the heritors, minister, or elders, against the schoolmaster, charging him with neglect of duty, either from engaging in other occupations or from any other cause, or with immoral conduct, or cruel and improper treatment of the scholars under his charge, shall be presented to the presbytery, they shall forthwith take cognisance of the same, serve him with a libel if the articles alledged appear to them to be of a nature which requires it, and having taken the necessary proof, they shall acquit or pass sentence of censure, suspension, or deprivation, as shall appear to them proper upon the result of such investigation; which judgment shall be final, without appeal to or review by any court, civil or ecclesiastical; and in case they shall depose the in-

cumbent from the office of schoolmaster, his right to the emoluments and accommodations of the same shall cease from the time of his deposition; and in case he shall fail or refuse to remove from the school, school house, and garden, within the space of three months from the date of such sentence or deposition, the sheriff of the shire, or stewart of the stewartry, upon having an extract or certified copy of the sentence of deposition by the presbytery laid before him, shall forthwith grant letters of ejection against such schoolmaster, of which no bill of suspension or advocation, nor action of reduction shall be competent: and in case of such deposition the schoolmaster shall take place.

Qualification of Heritors.

22. Provided always, and be it enacted, That it shall not be lawful for any heritor who is not a proprietor of lands within the parish, to the extent of at least one hundred pounds *Scots* of valued rent appearing in the land tax books of the county within which such parish is situated, to attend or vote at any meeting held pursuant to this Act; but every heritor qualified as above may vote by proxy, or by letter under his hand.

Former Acts confirmed.

23. Provided also, and be it enacted, That all former Acts and Statutes with regard to parish schools or schoolmasters are hereby ratified and confirmed, in so far as they are not altered by the express provisions of this Act.

1 & 2 Vict. cap. 87.1

An Act to facilitate the Foundation and Endowment of additional Schools in Scotland.—[10th August 1838.]

Whereas an Act was passed by the Parliament of Scotland in the first Parliament of King William, in the year One thousand six hundred and ninety-six [1696, c. 26.], intituled Act for settling of Schools: And whereas another Act was passed by the Parliament of Great Britain, in the forty-third year of the reign of His Majesty King George the Third [43 G. 3 c. 54.], intituled An Act for making better Provision for the Parochial Schoolmasters, and for further Regulations for the better Government of the Parish Schools, in Scotland: And whereas another Act was passed in the fifth year of the reign of His Majesty King George the Fourth [5 G. 4 c. 90.], intituled An Act to amend an Act for building additional Places of Worship in the Highlands and Islands of Scotland: And whereas under the said last-recited Act a number of places of worship have been built in the Highlands and Islands aforesaid, and the parishes in which such additional places of worship have been built have been divided and disunited quoad sacra: And whereas the parish schools and other means of education existing in the Highlands and Islands aforesaid are wholly inadequate to the education of the people, and some places are altogether destitute of such schools or other means of instruction, and it is desirable that provision should be made against so great an evil:

Commissioners of the Treasury authorised to provide, out of Sums granted for Education in Scotland, for the Endowment of additional Schools.

Be it therefore enacted by the Queen's most excellent Majesty, by and

¹ This Act was repealed only "in so far as inconsistent with the provisions of the Education (Scotland) Act, 1872." It is wholly repealed by the Highland Schools Act, 1873, which will be found in the Appendix, p. 130. Cf. p. xlviii, note 3.

with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury of *Great Britain* and *Ireland* for the time being, or any three of them, from time to time to set apart and appropriate, from any sum which has been or may be voted by Parliament for purposes of education in *Scotland*, any such part thereof as they shall deem expedient and necessary, for the endowment of additional schools in such parts of such divided parishes aforesaid as they shall judge proper.

Money how to be invested.

2. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury from time to time to invest the sum or sums to be set apart and appropriated as aforesaid in the purchase of three per centum consolidated bank annuities, or such other Government stock or funds as they shall think fit, and in the name or names of such person or persons at they shall nominate and appoint, and to direct the dividends or proceeds of the monies so invested to be paid to such person or persons in Scotland as they shall nominate, to be applied in manner herein-after provided.

If Heritors of divided Parishes provide Schools, &c., such Schools may be endowed.

3. And be it enacted, That in all parishes which shall have been divided quoad sacra under the said last-recited Act, if in that district or division of any such parish in which there shall be no school or not an adequate number of schools, or in which there being a school or schools but no endowment or no sufficient or permanent endowment for the schoolmaster or schoolmasters of the same, the heritors of such parish or district shall, at their own expense or otherwise, provide an adequate schoolhouse and schoolmaster's dwelling-house, consisting of not less than two rooms, besides the kitchen and a garden, which shall be reported by the presbytery of the parish to the said Commissioners of Her Majesty's Treasury to be in all respects equal and answerable to the description of schoolhouse, schoolmaster's house (excepting that the schoolmaster's house under this Act shall consist of not less than two apartments besides the kitchen), and garden, contained in and required by the said recited Act of the forty-third year of the reign of His Majesty King George the Third, and which shall be conveyed to, vested in, and held by any person or persons to be appointed by the said Commissioners of Her Majesty's Treasury or any three of them for the purposes of this Act, then and in such case it shall be lawful for the said Commissioners of Her Majesty's Treasury to appropriate or to direct to be appropriated, out of the dividends or proceeds of the money to be invested as aforesaid, a sum not exceeding the maximum sum payable to parochial schoolmasters, as directed to be ascertained and fixed according to the average amount of the fiars price of oatmeal under and in the manner by the said recited Act of the forty-third year of the reign of King George the Third directed to be paid to the schoolmaster to be appointed to such school in manner after mentioned, by such person or persons as the said Commissioners or any three of them shall appoint, by equal portions half-yearly at the terms of Whitsunday and Martinmas in each year.

Incapacitated Persons empowered to convey Heritages for Purposes of this Act.

4. Provided always, and be it enacted, that it shall be lawful for heirs of entail, tutors, curators, trustees, and others under any legal disability or

incapacity, with or without valuable consideration, to give and dispone heritably and irredeemably lands or heritages for the purposes aforesaid; and such heirs of entail or incapacitated persons shall not be thereby subject to or incur any forfeiture or irritancy or liability for damages under any deed of entail or trust deed or other deed under which he, she, or they may hold such lands or heritages.

Conveyance to be free of Stamp Duty.

5. And be it enacted, That the conveyance of such lands or heritages for the purposes of this Act shall be free of all stamp duty, any law to the contrary notwithstanding, and shall be made according to the following form or in words to the like effect:

Form of Conveyance.

"I [or we] [insert name and description of the disponer], do hereby "grant, dispone, and convey to [insert the names of the persons to be appointed by the Commissioners of Her Majesty's Treasury], all [describe the "premises], and all my [or our] right, title, and interest [or right, title, and interest of those for whom we act,] to and in the same and every part "thereof, to be held for the purposes specified in and according to the true "intent and meaning of an Act passed in the first year of the reign of Her "Majesty Queen Victoria, intituled [insert the title of this Act]. In witness "whereof I [or we] have subscribed these presents, written by [name and "designation of the writer], this [day] day of [month] in the year [year] "before these witnesses [name and designation of two witnesses, who will "also subscribe as such.]"

And such conveyances shall be recorded within sixty days of the date thereof in the General or Particular Register of Sasines, and shall be valid and effectual in law to all intents and purposes, and shall be a complete bar to all other rights, titles, trusts, interests, and incumbrances to, in, or upon the subjects so conveyed.

Schools, &c., to be maintained by Heritors.

6. And be it enacted, That the schoolhouse and schoolmaster's house so to be provided shall in all time thereafter be maintained and kept in repair, or if necessary be rebuilt, by the heritors of the whole parish, in the like manner as they are now liable to maintain parochial schools and schoolmasters houses under the said recited Act of the forty-third year of the reign of His Majesty King George the Third, and failing their so doing it shall be competent and lawful for the schoolmaster or for any heritor to bring the case by representation or petition before the Quarter Sessions of the peace of the county in which such parish is situated, who shall direct and ordain such repairs to be made as shall be necessary, and the judgment of the Quarter Sessions shall be final, and not subject to review; provided that no Justice of the Peace who shall be an heritor in such parish shall vote upon such representation or petition.

Schoolmasters to be appointed.

7. And be it enacted, That the heritor or heritors and the minister of any parish within which any such school, schoolmaster's house, and garden shall have been reported to have been provided as aforesaid shall, within four months thereafter, and failing them the Commissioners of Supply of the

county, jure devoluto, shall appoint a schoolmaster to such school; and in like manner, upon any future vacancy in any such parish, the heritors and minister or the Commissioners of Supply shall, within four months of such vacancy, appoint a schoolmaster to supply the same in such manner and subject to the like examination and approval by the Presbytery as is directed by the said last-mentioned Act in relation to parochial schoolmasters.

Schoolmasters to be entitled to School Fees, and have the like Powers as Parish Schoolmasters under 43 G. 3.

8. And be it enacted, That all schoolmasters appointed under the authority of this Act shall be entitled to school fees, and be bound to teach gratis such poor children as the heritors and minister shall recommend in terms of the said recited Act of the forty-third year of the reign of His Majesty King George the Third, and shall be under and subject to the like jurisdiction, regulations, conditions, and provisions, and have and enjoy the like powers, privileges, immunities, and exemptions, as parochial schoolmasters under the said last-mentioned Act.

No Alteration of District under 5 G. 4. to affect endowments under this Act.

9. And be it enacted, That no alteration of any divided parish or district to be made by virtue of the said recited Act of the fifth year of the reign of His Majesty King George the Fourth shall in any way affect any school to be provided as aforesaid, or schoolhouse or garden, or the appointment or endowment of any schoolmaster to be appointed under this Act.

Schoolmasters under this Act subject to Provisions under Act of 47 G. 3. c. 85.

10. And be it enacted, That every schoolmaster to be appointed in virtue of this Act shall be in all respects under and subject to the provisions of an Act passed in the forty-seventh year of the reign of His Majesty King George the Third, initiuled An Act for raising and securing a Fund for the Relief of Widows and Children of Burgh and Parochial Schoolmasters in Scotland, as if such schoolmasters had been specially described and comprehended therein.

Schools and Schoolmasters to be subject to any future Alterations.

11. Provided always, and be it declared and enacted, That all schools established and appointments of schoolmasters made under this Act shall be held subject to such alterations as may hereafter be made by law in such schools or in the office of such schoolmasters.

Two first-recited Acts applied to this Act.

12. And be it enacted, That the said two first-recited Acts shall, in as far as the same are applicable to and consistent with this Act, be deemed and taken to be part of this Act, and be construed and carried into force and effect along therewith, in all respects as if the same were re-enacted and repeated therein.

Proceedings to be reported to Parliament.

13. And be it enacted, That the said Commissioners of Her Majesty's Treasury shall once in every year report their proceedings in writing to

both Houses of Parliament, showing the sums of money invested and appropriated and the schools endowed under the provisions of this Act.

24 & 25 Vior. Cap. 107.

An Act to alter and amend the Law relating to Parochial and Burgh Schools, and to the Test required to be taken by Schoolmasters in Scotland.—[6th August 1861.]

Whereas an Act was passed in the forty-third year of the reign of His Majesty George the Third, chapter fifty-four, intituled An Act for making better Provision for the Parochial Schoolmasters, and for making further Regulations for the better Government of the Parish Schools in Scotland [43 G. 3. c. 54]: And whereas it is expedient to amend the said Act, and to make further and other provisions for the maintenance and government of the said schoolmasters and schools, and to abolish the test imposed by law on schoolmasters in Scotland:—Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Interpretation of Terms.

1. Where not inconsistent with the context, the following expressions shall have the meaning herein-after assigned them; that is to say,

The expression "parochial school" shall mean and include every school established or to be established or provided for under the said recited Act:

The expression "burgh school" shall mean and include every burgh, grammar, or other public school, not being a parochial school.

Salaries of Schoolmasters to be not less than 35l. nor more than 70l. per Annum, but where Two or more Schools, Salaries not to be less than 50l. nor more than 80l.

2. From and after the term of Martinmas next after the passing of this Act the salary of every schoolmaster of any parochial school shall not be less than the sum of thirty-five pounds, nor more than the sum of seventy pounds per annum: provided always, that where two or more schools have been or shall be established in any parish in terms of the said Act the total amount of the salary payable to the schoolmasters therein shall not be less than fifty pounds nor more than eighty pounds per annum, to be apportioned among the said schoolmasters as the heritors shall determine, in the manner provided by the said Act; and the salaries herein provided shall be in lieu of the salaries payable under the provisions of the said Act: provided also, that it shall be lawful for the heritors, if they shall think fit, to make any addition granted by them to the salary of any schoolmaster beyond the minimum amount hereby fixed to be dependent upon the number of scholars receiving instruction in his school, under such regulations as they may deem expedient.

Salary to be fixed by the Heritors and Minister, and to be payable in Money at the Terms and under Conditions now in use.

3. The minister of every parish in which there is a parochial school shall, within three months from and after the passing of this Act, and on every

occasion of a vacancy in the office of schoolmaster within six weeks after such vacancy shall have taken place, call a meeting of the heritors together with the said minister, in the manner prescribed in the said recited Act, for the purpose of fixing the salary of the schoolmaster under this Act, subject always to the appeal provided in the said recited Act; and the salary to be so fixed shall be payable in sterling money, at the same terms and under the same conditions, provisions, and regulations as are at present in use; and in case in regard to any parish such meeting shall not have been held or the salary shall not have been fixed in manner and within the period herein prescribed, the salary shall, until such meeting shall have been held and such salary so fixed, be held as fixed at the amount of fifty pounds per annum, which amount shall be payable to the schoolmaster in manner herein-before prescribed; and where two or more schools have been established in any one parish, the said sum of fifty pounds shall be payable to the several schoolmasters thereof, in the same proportion according to which their several salaries were payable before the passing of this Act: provided always, that where any parish shall be vacant at the time of the passing of this Act, or become vacant before any such meeting shall be called, or where any minister shall decline or delay calling such meeting after having been required so to do by any heritor or heritors holding not less than one third of the valuation of the parish, it shall be competent for such heritor or heritors to call, by notice affixed to the door of the parish church, and either a circular sent to each heritor, or an advertisement published in a newspaper of general circulation in the district, a meeting for the purpose of fixing the salary of the schoolmaster under this Act, and the salary fixed at such meeting within the limits specified in this act shall be the salary of the schoolmaster or schoolmasters.

Heritors may discontinue existing Side Schools.

4. At the meeting aforesaid it shall be lawful for the heritors and minister to resolve to discontinue, from and after a date to be fixed by them, any subsisting side school in the parish: provided always, that if such side school is not vacant at the date of such meeting they shall provide to the schoolmaster thereof during his life, from and after its discontinuance, an annual payment equal in amount to the full salary to which at the date of the passing of this Act he had right by law, under the provisions of the said recited Act, together with the annual value of any dwelling house to which he may have been entitled as such schoolmaster, as the same is or shall be valued by the assessor for the county, which amount shall be assessed, levied, and paid over and above the salaries payable under this Act, and in like manner as such salaries are hereby directed to be assessed, levied, and paid.

Heritors may establish a Female Teacher.

5. It shall be lawful for the heritors and minister, at the meeting aforesaid, or at any subsequent meeting duly called for that purpose, to resolve that a female teacher shall be established, to give instruction in such branches of female industrial and household training, as well as of elementary education, as they shall then or from time to time prescribe, and to provide, over and above the salary herein-before mentioned, a yearly sum not exceeding thirty pounds as a salary for such female teacher, which yearly sum shall be assessed, levied, and paid in like maner as such herein-before mentioned salary is hereby directed to be assessed, levied and paid; and it shall be lawful for the said heritors and minister to engage and

appoint such female teacher for such period of time and on such terms and conditions as shall be agreed on.

Side School Teacher may be required to resign, on increasing Salaries, Provision being made for him during Life.

6. It shall be lawful for the heritors and minister, at such meeting as aforesaid, to resolve to require the teacher of any side school in the parish, on a notice of not less than three months, to resign his office, on their providing to him during his life an annual payment equal in amount to the full salary to which at the date of the passing of this Act he had right by law, under the provisions of the said recited Act, together with the annual value of any dwelling house to which he may have been entitled as such school-master, as the same is or shall be valued by the assessor of the county, which amount shall be assessed, levied, and paid over and above the salaries payable under this Act, and in like manner as such salaries are hereby directed to be assessed, levied, and paid; and at the expiry of three months from notice as aforesaid, if such teacher shall not previously have given in his resignation, the heritors and minister having made provision for such annual payment as aforesaid, the right of such teacher to his office shall cease and determine.

Salaries where not fixed at the maximum Amount may be increased.

7. If in any parish the salary shall have been fixed at a yearly sum less than the maximum amount herein-before specified, it shall be lawful to the heritors and minister, at any meeting to be called and held in the manner before prescribed, from time to time to increase the amount of such salary, provided the same shall not exceed the said maximum amount, and on any vacancy in the office of schoolmaster from time to time to reduce the salary, so that it shall not be less than the minimum salary herein-before specified; provided that it shall be the duty of the minister to call such meeting only on the requisition of any heritor or heritors being proprietors of not less than one fourth part of the whole lands and heritages situate within the parish.

Office of Schoolmaster may be declared vacant where retiring Salary has already been agreed upon between Heritors and Schoolmaster.

8. In case the heritors shall, previously to the passing of this Act, have entered into any agreement with the schoolmaster of any parish for his retirement from the performance of the duties of his office, on payment to him of a retiring allowance or otherwise, it shall be lawful to the heritors, at any meeting to be called and held as aforesaid, to declare the office of schoolmaster of such parish vacant, and to proceed to elect another schoolmaster, and to grant such retiring allowance or other terms to such retiring schoolmaster as may have been agreed upon as aforesaid, payable during the remainder of his life, which retiring allowance shall be payable in all respects in like manner with the salary of the schoolmaster.

Examination by Examiners appointed by the Universities to come in the Place of the Examination by the Presbytery.

9. The sixteenth section of the said recited Act shall be and is hereby repealed; and in place of the examination by the Presbytery therein prescribed it is hereby enacted as follows; viz.,

(1.) It shall be the duty of the University Court of each University in Scotland, as soon as conveniently may be, and in no case later than two months after the passing of this Act, and thereafter from time to time, to appoint six persons to be examiners of parochial schoolmasters, three of such persons being Professors in the Faculty of Arts, and three of such persons being Professors in the Faculty of Divinity of the University.

Examiners to hold the Office for Two Years, but may be re-appointed; and Vacancies to be filled up.

(2.) The persons so appointed shall continue to be examiners during two years from and after the date of their respective appointments, and until other persons shall have been in like manner appointed in their room; provided that it shall be lawful to the University Court to re-appoint all or any of the same persons to be such examiners, and to fill up from time to time any vacancy which may occur by the death, resignation, or disqualification of any of the examiners; and it shall be lawful to each of the persons so appointed to nominate as his deputy, with power to act as his substitute in case of his absence at any meeting of the examiners, any person who may have become a graduate in arts of the university not later than three years prior to such nomination; provided that such nomination shall be approved by the University Court, and also provided that the persons nominated by such examiners as are professors in the faculty of divinity shall be ministers or licentiates of the Church of Scotland:

Examiners to make and publish Regulations with Approval of University Court.

(3.) It shall be lawful to the examiners to make, on or before the eleventh day of November one thousand eight hundred and sixty-one, and thereafter from time to time, such regulations as they shall see fit in regard to the time and manner of examinations, and as to the subjects to which the same shall extend, and to regulate the notice to be given thereof, regard being always had in the framing of these regulations to the circumstances of each particular district; provided that such regulations shall be approved of by the University Court; and the said regulations, when so approved, shall be published by advertisement in such manner as the University Court shall direct; and the examiners may appoint one of their own number, or any one of their substitutes, to act as their secretary; and such examinations shall be held within the buildings of the university, and at such time and place as shall be fixed by the University Court:

Scotland to be divided into Four Districts as in Schedule (A).

(4.) For the purposes of the examination of parochial schoolmasters the parochial schools in Scotland shall be and are hereby distributed into four districts, each in connection with one of the universities, as set forth in the Schedule (A.) hereto annexed:

Persons elected Schoolmasters to be examined by the Examiners.

(5.) Every person elected to be a parochial schoolmaster under the provisions of this and the said recited Act, and every person elected

to be a schoolmaster under the provisions of the Act of the First and Second Years of the Reign of Her Majesty, Chapter Eightyseven, shall, before his admission to the said office, and as a condition thereof, submit himself to the trial and examination of the examiners for the district to which the parish for which he has been elected appertains, as to his fitness and qualifications for the duties of the said office; and being found qualified, the said examiners shall furnish to him a certificate to that effect subscribed by them or by a majority of their number, which certificate shall be conclusive evidence that he has passed the requisite examination, and been found qualified for the said office, and the examiners shall have power, with consent of the Committee of the Privy Council on Education, to require the attendance at any such examination, for the purpose of assisting therein, of one of her Majesty's Inspectors of Schools.

Electors of Schoolmaster may choose more than One Candidate to be tried by Examiners.

10. It shall be lawful for the persons entitled to elect any burgh or parochial schoolmaster, if they shall see fit, instead of electing some one person to the vacant office, to choose and nominate two persons or three persons to be tried by the examiners, whose duty it shall be to make trial of the comparative fitness and qualifications of the persons so chosen and nominated, and to determine which of them is the best qualified and most fit for the school with reference to which they have been so chosen, and to give the person so preferred by them a certificate to that effect, and such certificate, along with the minute of nomination by the persons entitled to elect, and also, in the case of a parochial schoolmaster, the certificate of his having emitted the declaration herein-after set forth, shall complete the right of the person so preferred to the office of schoolmaster: Provided always, that if the examiners shall not be satisfied of the fitness and qualifications of any of the persons nominated as aforesaid, they may decline to grant a certificate to any of them, of which declinature they shall forthwith cause intimation to be made to the persons having the right of election; and provided further, that in the event of two or more candidates for the office of schoolmaster being remitted by the heritors and minister to the examiners for competitive examination, the heritors shall pay to each of the examiners a fee of ten shillings for each additional candidate so examined; and in the event of the magistrates of any burgh remitting any candidate for examination to the examiners, they shall pay to each of the examiners a fee of one pound one shilling if there be only one, and a fee of ten shillings for each additional candidate.

Commissioners of the Treasury to pay 21s. to each of the Examiners in respect of each Examination, and 15s. to their Secretary.

11. It shall be lawful to the Commissioners of Her Majesty's Treasury to pay out of any monies which may be voted by Parliament for that purpose the sum of one pound one shilling to each of the said examiners for and in respect of every person examined by them under the provisions of this Act, and also the sum of fifteen shillings for each such examination to the secretary of the examiners, out of which sum he shall defray the expense of the advertisements required by this Act and other incidental expenses.

Parochial Schoolmasters not to be required to sign Confession of Faith or Formula, but to make a Declaration and to undertake to conform to the Shorter Catechism.

12. From and after the passing of this Act, it shall not be necessary for any schoolmaster, or for any person elected a schoolmaster, of any parochial school, or of any school under the provisions of the Act of the first and second years of the reign of Her Majesty, chapter eighty-seven, to profess or subscribe the Confession of Faith, or the formula of the Church of Scotland, or to profess that he will submit himself to the government and discipline thereof: Provided always, that every person elected a schoolmaster of any such school shall, as a condition of the office, and before admission thereto, produce before the principal, or, in case of his absence or inability to act, before one or other of the professors in the faculty of divinity of the university in which he has been examined, an extract or certified copy of the minutes of his election, together with the said certificate by the examiners, and shall in the presence of the principal or professor emit and subscribe a declaration in the following terms; that is to say,

'I A.B. do solemnly and sincerely, in the presence of God, profess, tes-

tify, and declare, that as schoolmaster of the parochial school at in the parish of , and in the discharge of the said office, I will never endeavour, directly or indirectly, to teach or inculcate any opinions 'opposed to the divine authority of the Holy Scriptures, or to the doctrines contained in the Shorter Catechism agreed upon by the Assembly of Divines at Westminster, and approved by the General Assembly of the Church of Scotland, in the year one thousand six hundred and forty-eight; 'and that I will faithfully conform thereto in my teaching of the said 'school, and that I will not exercise the functions of the said office to the 'prejudice or subversion of the Church of Scotland as by law established, or the doctrines and privileges thereof.'

And the person elected to be schoolmaster, having made such productions and declaration, shall be furnished with an attestation to that effect subscribed by the said principal or professor, which attestation shall complete

his right to the emoluments provided by this Act.

Presbytery of the Bounds may present a Complaint to Secretary of State against Schoolmaster.

13. It shall be competent for the presbytery of the bounds, or for the heritors, whensoever they shall see cause for instituting proceedings against the schoolmaster of any parish, for contravention of the said declaration, to present a complaint to one of Her Majesty's Principal Secretaries of State against such schoolmaster; and it shall be lawful to the Secretary of State thereupon to appoint a commission to inquire into the said charge, and to censure, suspend, or deprive such schoolmaster, as they shall find to be just; provided that no such sentence shall take effect until it has been confirmed and approved of by the Secretary of State.

Jurisdiction of the Presbytery in Cases of immoral Conduct or Cruelty transferred to the Sheriff.

14. So much of the twenty-first section of the said recited Act as provides that the presbytery shall take cognizance of, and, if they see cause, proceed by libel against any schoolmaster in respect of any complaint charging him with immoral conduct, or cruel and improper treatment of the scholars under his charge, is hereby repealed; and in lieu thereof it is hereby enacted,

that it shall be lawful to the heritors and ministers, or the clerk of the presbytery of the bounds, by the authority of the said presbytery, given on the application of the heritors and minister, or of any six heads of families in the parish whose children are attending the school, to make a complaint in writing to the sheriff of the county in which the school is situate, charging the schoolmaster with immoral conduct, or cruel and improper treatment of the scholars under his charge, and specifying in such complaint the particular Acts in respect of which the complaint is made; and a copy of such complaint shall be served upon the schoolmaster, who shall be required, on an inducise of fourteen days, to appear before the sheriff, by himself or his agent, to answer to the said complaint; and the schoolmaster accused shall, if he deny the charge, if he think fit, answer the particulars of the complaint, such answer to be in writing, and to be lodged within the said fourteen days, or may, when the cause comes to be tried, state his plea to be not guilty; and the sheriff shall thereafter proceed to the trial of the complaint, and take the evidence in the same way as and under the same rules as those which are in force in the sheriff court in regard to process in civil causes; and in the event that he shall find such complaint or any material and relevant part thereof to be proved, the sheriff shall give judgment accordingly, and shall pass such sentence of censure, suspension, or deprivation, as in his opinion the case requires, which sentence shall be final and not subject to review, and shall have all the effects consequent before the passing of this Act on any similar sentence of any presbytery under the provisions of the last recited section of the said Act, and no sentence of censure, suspension, or deprivation otherwise pronounced on such charges, shall be valid or effectual: Provided always, that where sentence of suspension shall be pronounced the salary of the schoolmaster in respect of his office shall cease and determine from the date of such sentence until the next term of Whitsunday or Martinmas following the expiration of the term of suspension specified in such sentence, and the salary accruing during the said period shall be applied by the heritors and minister towards providing a substitute for such schoolmaster during the period of the suspension.

Expenses incurred by the Complainers to be repaid out of the Rogue Money.

15. The sheriff shall by his decerniture ascertain and specify the amount of the expenses properly incurred by the complainers in the proceedings connected with any complaint against the schoolmaster of any parochial school; and the complainers shall be entitled to recover the amount so ascertained from the collector, and out of the readiest proceeds of the assessments commonly called the rogue money levied for the county within which the school is situate, under the provisions of an Act passed in the eleventh year of the reign of His Majesty George the First, chapter twenty-six; and the receipt of the agent of the complainers shall be a sufficient discharge to the said collector for any payments so made by him out of the said rogue money or assessments.

Repeal of Clauses of the recited Act requiring an Estimate of the Value of Grain to be made at successive Periods.

16. So much of the second section of the said recited Act as provides that where the salaries of parochial schoolmasters had been before the passing thereof payable in grain or meal such salary in grain or meal should continue to be paid, and also the third, fourth, and sixth sections of the said recited Act, shall be and are hereby repealed; and it is hereby de-

clared and provided, that the right of electing a parochial schoolmaster, juro devoluto, conferred by the fifteenth section of the said recited Act on the commissioners of supply of the county, after the expiration of four months from the time when the vacancy in any parochial school shall have taken place, shall not arise or accrue to the commissioners of supply until the expiration of six months from the time of such vacancy.

Schoolmaster's House to consist of Four Apartments.

17. Where in any parish it shall be necessary to provide a house for the parochial schoolmaster, in terms of the recited Act, and of an Act passed in the first and second years of the reign of Her present Majesty, intituled An Act to facilitate the Foundation and Endowment of additional Schools in Scotland, or either of them, such house shall consist of at least three apartments besides the kitchen.

Act not to interfere with Arrangements as to Retirement of Schoolmaster.

18. Nothing in this Act shall be held to interfere with any arrangement which may have been concluded between the heritors and schoolmaster of any parish for the retirement of such schoolmaster, except as regards the house and garden, and premises attached thereto, which shall in every case be made over at the term of Whitsunday next after the passing of this Act to the person actually discharging the duties of schoolmaster, and where the use of such premises may have formed part of a retiring allowance the heritors shall make reasonable compensation to the ex-schoolmaster.

Heritors and Ministers may permit or require Schoolmaster to resign.

19. In case it shall be found, on a report by one of Her Majesty's Inspectors of Schools, made on the application of the heritors of the parish, and concurred in by the presbytery of the bounds, that the schoolmaster of any parish is disqualified because of infirmity or old age for the due performance of the duties of his office, or that from negligence or inattention he has failed efficiently to discharge such duties, it shall be lawful to the heritors and minister, at any meeting called and held as aforesaid, to permit or require such schoolmaster to resign his said office, and in case of his refusal so to do to dismiss or suspend such schoolmaster, and when necessary to declare the school vacant; and in every case of such resignation the heritors and minister may grant to such schoolmaster a retiring allowance payable during the remainder of his life; provided that where such resignation shall not be occasioned by any fault on the part of the schoolmaster the heritors shall grant a retiring allowance the amount whereof shall not be less than two third parts of the amount of the salary pertaining to said office at the date of such resignation thereof, and shall not exceed the gross amount of such salary, which retiring allowance shall be payable in all respects in like manner with the salary of the schoolmaster; provided also, that no schoolmaster shall be suspended for a longer period than three months, or be dismissed for neglect of duty, excepting under the above provisions.

Minister and Heritors may grant annual Allowance to Schoolmaster, in addition to retiring Allowance.

20. In all cases in which the minister and heritors are by this Act empowered to provide a retiring allowance for a schoolmaster who shall resign or shall be removed from his office, it shall be lawful for them, if they see fit, to provide for such schoolmaster, in addition to such allowance, and in like manner, a further yearly sum, equal in amount to the annual value

of any dwelling-house and garden to which he may be entitled as such schoolmaster, as the same shall be valued by the assessor for the county.

20 & 21 Vict. c. 59. repealed.

21. The whole provisions of an Act passed in the twentieth and twenty-first years of the reign of Her present Majesty, chapter fifty-nine, intituled An Act concerning the Parochial Schoolmasters in Scotland, shall be and are hereby repealed.

Schoolmasters in Royal Burghs not to be required to sign Confession of Faith or Formula of Church of Scotland.

22. From and after the passing of this Act, it shall not be necessary for any person elected to be a schoolmaster of any burgh school to profess or subscribe the Confession of Faith, or the formula of the Church of Scotland, or to profess that he will submit himself to the government and discipline thereof, nor shall any such schoolmaster be subject to the trial, judgment, or censure of the presbytery of the bounds for his sufficiency, qualifications, or deportment in his office, any statute to the contrary notwithstanding; and this enactment shall be a sufficient defence in answer to any proceedings against any schoolmaster of any burgh school in respect that he has not made such profession or subscription.

Not to affect Provisions relating to Parochial Schools, &c.

23. Nothing herein contained shall repeal, alter, or affect the provisions of the recited Act, or of any other Act relating to parochial schools or schoolmasters in Scotland, excepting in so far only as shall be necessary to give effect to the provisions of this Act.

Short Title.

24. This Act may be quoted in all proceedings as "The Parochial and Burgh Schoolmasters (Scotland) Act, 1861."

SCHEDULE (A.)

DIVISION OF SCOTLAND INTO FOUR DISTRICTS IN CONNEXION WITH THE FOUR UNIVERSITIES.

Andrews. All the parochial schools situate within any of the counties of Clackmannan and Kinross, Fife, Forfar, Perth.	schools situate	ABERDEEN. All the parochial schools situate within any of the counties of Aberdeen, Banff, Caithness, Elgin and Nairn, Inverness, Kincardine, Orkney and Shetland, Ross and Cromarty, Sutherland.	
---	-----------------	--	--

XIII.

RULES, DIRECTIONS, AND ORDERS

OF THE

SCOTCH EDUCATION DEPARTMENT

AND OF THE

BOARD OF EDUCATION

RULES AND DIRECTIONS FOR THE CONDUCT OF THE FIRST ELECTION OF SCHOOL BOARDS.

[Published by the Board of Education for Scotland, 21st January 1873.]

RULES and DIRECTIONS for the FIRST ELECTION of SCHOOL BOARDS in Parishes not being Burghal Parishes, and in School Districts.

In accordance with the provisions of "The Education (Scotland) Act, 1872" [35 & 36 Victoria, cap. 62, passed 6th August], which requires that " within twelve months after the passing of this Act, a School Board shall be elected in and for each and every Parish" in Scotland, the following Rules and Directions are hereby prescribed for the conduct of the first Election of the School Boards:-

Time for election of

- 1. In each Parish, the time fixed for the first Election of a School election of SchoolBoard, shall be not less than Twenty-one days after the meeting held by the Heritors and Minister for the appointment of a Returning Officer, and for fixing the time and place of such Election.
- 2. Publication of the time and place fixed for the Election, and of Publication of time and the person appointed to be Returning Officer, shall be made by Notices place of elec-tion and of affixed to the doors of the Parish Church, and of all the other Places of affixed to the doors of the Parish Church, and of all the other Places of person to be Worship, and of all Public or State-aided Schools within the Parish. Returning

Polling places

3. In a Parish where the extent or other circumstances render it necessary, the Returning Officer shall appoint a sufficient number of polling places situated conveniently for the Voters, and shall prepare a List of the Voters who are to vote at each polling place. 1 No Public House shall be used for a polling place or for the purposes of an Election.

Notice by Returning Officer.

- 4. Fourteen days before the day fixed for the Election, the Returning Officer shall cause notices to be affixed to the doors of the Parish Church. and of all the other Places of Worship and of all public or stateaided Schools within the Parish, specifying the day, hour, and place or places for polling; and when there is more than one polling place, the districts for which each polling place is assigned; and the number of Members to be elected to the School Board.
- ¹ The English Rules corresponding to this are as follows:—The returning officer shall determine the number and situation of the polling places, and for the purposes of this election may cause the Parish to be divided into Polling Districts. The said officer shall cause the boundaries of such districts, and the number and situation of the polling places, to be published not less than three clear days before the day fixed for the election.

If the Parish is divided into polling districts, each voter shall give his vote in the polling district in which the property in respect of which he is entitled to vote is situate; and if it is situate in more than one polling district, he shall vote in any one of the polling districts in which it is situate.

5. Not less than ten days prior to the day of Election, any two Elec-Nomination tors of the Parish may nominate as a Candidate any person of full age, dates. by sending to the Returning Officer, or delivering at his place of residence, a nomination paper, subscribed by said two Electors, and stating the Christian name and surname, with the place of abode and designation, of each Subscriber, and of the Candidate nominated. Returning Officer, on receipt of the same, shall forthwith send notice of his nomination to each Candidate.

6. No nomination paper shall be received after Four o'clock in the Time for noafternoon of the tenth day before the day of Election, and no person mination. shall be a Candidate unless he has been nominated within the time and in the manner aforesaid.

The Returning Officer shall have power to decide whether any nomina- validity of tion is valid, and his decision shall be final.

7. Seven² clear days before the day fixed for the Election, the Return- Notice of ing Officer shall give public notice of the names, designations, and places of candiof abode of the several Candidates nominated as aforesaid, and not dates. withdrawn, by affixing a list of the same to the doors of the Parish Church, and of all the other Places of Worship and of all Public or State-aided Schools within the Parish, and in such other manner as he may deem necessary to ensure publicity.

8. If the number of Candidates nominated and not withdrawn shall Procedure equal but not exceed the number of Members to be elected, it shall be where number of cannotified by the Returning Officer, in publishing the names of the Candi-didates acdates so nominated, that as the number of Candidates accords with the number of number of Members to be elected, there will be no Poll, and that on members to be elected. the day of Election these Candidates will be held to be duly elected.

9. If the due number of Candidates has not been nominated, the Procedure Returning Officer shall report to the Board of Education that no Election when our number of has taken place.

not nomi-

10. If, seven clear days before the day fixed for the day of Election, the Procedure number of Candidates nominated and not withdrawn shall exceed the when number of cannumber of Members to be elected, the Returning Officer shall forthwith didates exproceed to make arrangements for a poll by ballot in the manner pre-ber of mem scribed in Schedule A; and on the day of Election, the Returning bers to be elected. Officer, or such person or persons as may be appointed by him for this purpose, shall proceed to take and collect, by ballot, the votes of the Electors in the manner prescribed in said Schedule.

 The same persons are not precluded from nominating more than one candidate.
 Eight days are allowed in English parishes. Candidates may be withdrawn six days before election.

Hours of polling.

11. The Poll shall open not later than Twelve o'clock noon on the day appointed, and shall not remain open for a longer period than six hours.1

Method of counting

12. If the votes have been taken at more than one polling place, they shall be counted, not separately, but for the Parish as a whole.

Notice of members

13. Within three clear days after the day of Election, the Returning re- Officer shall affix to the doors of the Parish Church, and of all the other elected; re- Officer shall amx to the doors of the Schools within the turn sent to Places of Worship, and of all Public or State-aided Schools within the Parish, a list of those persons as Members of the School Board who have been returned without a Poll; or those who in case of a contest have had a majority of votes; and shall make a Return of the names of said Members to the Board of Education.

Preliminary

14. When for the purposes of "The Education (Scotland) Act, 1872," procedure in the Board of Education shall have united two Parishes, the Returning ed parishes. Officer shall be appointed, and the time and place for the election of a School Board shall be fixed at a joint meeting of the Heritors and Ministers of these two Parishes.

Preliminary procedure in case of

15. When two or more Parishes, or parts of Parishes, are now united and formed into a Parish quoad sacra, the Heritors who are proprietors quoad sacra of lands within said Parish to the extent of at least One hundred pounds Scots of valued rent, appearing in the Land Tax books of the County or Counties within which such Parish is situated, along with the Minister of such quoad sacra Parish, shall meet as soon as conveniently may be, and fix a time and place for the Election of a School Board, and appoint a fit and proper person to be Returning Officer at the election.

Preliminar procedure in case of school districts.

16. When the School Boards of two or more adjoining Parishes shall deem it expedient to separate and detach certain portions of these Parishes from the Parishes to which they respectively belong, and to unite them together and form them into a School District, the Sheriff of the County, when he intimates his consent and approbation to such arrangement, shall fix a time and place for the Election of a School Board for such School District, and shall appoint a fit and proper person to be the Returning Officer at the Election, which in all other respects shall take place according to the foregoing rules.

> By order of the Board of Education for Scotland. JAMES TAYLOR, Secretary.

In England the returning officer is bound to keep the voting papers for six months.

¹ The corresponding rule in the English Rules is:—The poll shall commence at such an hour not earlier than 8 A.M., and close at such an hour not later than 8 P.M., as shall be fixed by the Returning Officer; but the poll shall not be open for more

SCHEDULE A.

Rules and Directions for taking Votes by Ballot in Parishes and School Districts.

- 1. Preparations for Poll.—The Returning Officer shall provide a Ballot Box so constructed that a ballot paper can be introduced therein, but cannot be withdrawn without the box being unlocked; a sufficient number of printed ballot papers, containing, in the form annexed, the names of the Candidates; materials for the marking of the votes on the ballot papers, sealing wax, and a copy of the Valuation Roll of the Parish, or School District; and shall cause one compartment or more to be fitted up in the polling place, in which the voter shall be screened from observation while marking his ballot paper. Provided that in any Parish situated in the counties of Argyll, Inverness, Ross and Cromarty, and Orkney and Shetland, the Returning Officer may use written voting papers, in the form hereinafter prescribed.
- 2. Persons entitled to attend at the Polling Place.—The only persons entitled to be present within the polling place are the Returning Officer and his clerks, and the candidates, or the persons whom they shall authorize in writing under their hand to represent them.
- 3. Declaration of Secrecy.—Before the opening of the poll, the Returning Officer, and every person authorized to be present within the polling place, or at the counting of the votes, must have made before a Justice of the Peace the following declaration of secrecy:—
 - I solemnly promise and declare that I will not communicate, except for some purpose authorized by law, any information as to the persons who have voted or not voted, or as to the Candidates for whom any vote has been given, at the election for a School Board in this Parish [or School District.]

The Returning Officer shall not permit any person who has not made the above declaration of secrecy to attend within the Polling Place.²

- 4. Commencement of Poll.—Before the commencement of the poll, the Returning Officer shall show the ballot box, empty, to such persons as may be present, and then lock it up and seal it. He shall then place it near him, and keep it within his view.
- 5. Mode of voting.—When any person comes up to vote, the Returning Officer shall ascertain that the person is entitled to vote; and if so, the Returning Officer shall deliver to the voter a ballot paper, call out his name and description, as stated in the Valuation Roll, place against the name of the voter a mark, which will denote that the voter has received a ballot paper, but not denote the particular ballot paper which he has received.

The voter, having received his ballot paper, shall proceed at once to the compartment, and shall there, either in figures or by crosses, secretly insert opposite the names of the candidates for whom he votes the number of votes he gives to each. He shall then fold up his ballot paper so

1 "Voting papers"—this should be "Ballot papers." The form hereinafter prescribed is called a "Ballot paper."

3 It is not necessary to make this declaration at the polling place. A certificate, or

It is not necessary to make this declaration at the polling place. A certificate, or other evidence that will satisfy the Returning Officer that the person applying for permission to enter has made the declaration before a Justice of Peace, will be sufficient.

as to conceal the figures or crosses which he has inserted, put the ballot paper so folded at once into the ballot box, and immediately leave the polling place.¹

- 6. Order within the Polling Place.—The Returning Officer shall make arrangements for preserving order within the polling place; and shall regulate the admission of electors, so that those voting shall not be liable to be overlooked or otherwise put to inconvenience; and shall see that each voter retires immediately after giving his vote.
- 7. Validity of Votes.—Any ballot paper on which votes are given to more candidates than the voter is entitled to vote for, or on which anything is written or marked by which the voter can be identified, shall be invalid and not counted.
- 8. Proceedings at close of Poll.—Immediately after the time fixed for the close of the poll, the Returning Officer, in presence of the candidates or the persons authorized to represent them, shall break the seal, open the box, examine the ballot papers, and record the number of votes for each candidate. He shall then make up the whole of the ballot papers into a packet, and shall write on the outside of the packet a description of its contents, the date of the election, and the name of the School Board, and shall seal up and preserve the same.
 - 9. Proceedings where there is more than one Polling Place.—
 - (a) If there be more than one polling place appointed for a Parish or School District, the Returning Officer shall appoint for each polling place a Presiding Officer, who shall conduct the taking of the votes in all respects in conformity with the foregoing rules.
 - (b) The Returning Officer shall deliver to the Presiding Officer, along with the other necessary materials for voting, a certified list, taken from the Valuation Roll, of the persons entitled to vote at each polling place.
 - (c) At the close of the poll, in the presence of the candidates or the persons authorized to represent them, the Presiding Officer shall seal with his own seal, and the seals of such candidates as desire to affix their seals, the ballot box in use at his polling place unopened, but with the key attached, and shall deliver the box as soon as practicable to the Returning Officer.
 - (d) The Returning Officer shall make arrangements for counting the votes in the several ballot boxes in the presence of the candidates or the persons authorized to represent them, as soon as practicable after the close of the poll, and shall give to the candidates notice of the time and place at which he will begin to count the same.
 - (e) Before beginning to count the votes, the Returning Officer shall, in the presence of the candidates or the persons authorized to represent them, open the ballot boxes, and then mix together the whole of the ballot papers contained in the ballot boxes.

¹ There is no provision to enable illiterate voters to get assistance in recording their votes. Any explanations, therefore, should be given to such voters before they enter the polling place.

FORM OF BALLOT PAPER.

Parish	of, County of	
N.B. to one (sees fit.	Every Voter is entitled to votes, and may give all Candidate, or may distribute them among the Candidates, a	l such votes s the Voter
	NAMES OF CANDIDATES.	Spaces for the Inser- tion of Figures or Crosses.
1	BURNS. ROBERT BURNS, Farmer, Mossgiel, Mauchline.	
2	CHALMERS. REV. THOMAS CHALMERS, Kilmany, Cupar-Fife.	
3	ABERDEEN. THE EARL OF ABERDEEN, K.G. and K.T., Haddo House, Aberdeen.	
4	SMOLLETT. TOBIAS SMOLLETT, M.D., Dalquharn, Renton.	
5	ERSKINE. REV. EBENEZER ERSKINE, Portmoak, Kinross.	
6	SCOTT. WALTER SCOTT, Advocate, Ashiestiel, Galashiels.	
7	LEIGHTON. THE REV. ROBERT LEIGHTON, Newbattle, Dalkeith.	
8	SMEATON. JOHN SMEATON, Millwright, Jedburgh.	
9	SMITH. ADAM SMITH, A.M., High Street, Kirk-caldy.	

By Order of the Board of Education for Scotland,

RULES and DIRECTIONS for the FIRST ELECTION of SCHOOL BOARDS in Burghs.

In accordance with the provisions of "The Education (Scotland) Act. 1872" [35 & 36 Victoria, cap. 62, passed 6th August], which requires that "within twelve months after the passing of this Act, a School Board shall be elected in and for every Burgh" in Scotland, the following Rules and Directions are hereby prescribed for the conduct of the first Election of the School Boards :-

Time for election of School

1. In each Burgh, the time fixed for the first Election of a School Board shall be not less than Twenty-one days after the meeting held by the Town Council, or the Municipal or Managing Body, as the case may be, for the appointment of a Returning Officer and for fixing the time and place of such Election.

Publication person to be Returning Officer.

2. Publication of the time and place fixed for the Election, and of the of time and person appointed to be Returning Officer, shall be made by advertiseplace of electron, and of ment in the local newspapers or otherwise.

> 3. In a Burgh where the population or other circumstances render it necessary, the Returning Officer shall appoint a sufficient number of polling places,1 situated conveniently for the Voters, and shall prepare a List of the Voters who are to vote at each polling place. No Public House shall be used for a polling place, or for the purposes of an Election.

Polling places. Notice by

Returning Officer.

4. Fourteen days before the day fixed for the Election, the Returning Officer shall give public notice, by advertisement in the local newspapers or otherwise, of the day, hour, and place or places, for polling, and where there is more than one polling place, of the district for which each polling place is assigned, and of the number of Members to be elected to the School Board.

Nomination of caudidetes

5. Not less than seven 2 days prior to the day of Election, any two Electors of the Burgh³ may nominate as a Candidate any person of full age, by sending to the Returning Officer, or delivering at his office or place appointed by him, a nomination paper, subscribed by said two Electors, and stating the Christian name and surname, with the place of abode and designation, of each Subscriber, and of the Candidate nominated. And the Returning Officer, on receipt of the same, shall forthwith send notice to each Candidate of his nomination.

Time for nomination.

6. No nomination paper shall be received after Four o'clock in the afternoon of the Seventh day before the day of Election; and no person shall be a Candidate unless he has been nominated within the time and in the manner aforesaid.

The Returning Officer shall have power to decide whether any nom-Validity of somination. ination is valid, and his decision shall be final.

- By the English Rules the Returning Officer is bound to publish the number and situation of the polling places three days before the election.
 Ten days are allowed in English boroughs.
 - The same persons are not precluded from nominating more than one candidate.

7. Four 1 clear days before the day fixed for the Election, the Return- Notice of ing Officer shall give public notice, by advertisement in the local names, &c. newspapers or otherwise, of the names, designations, and places of dates. abode of the several Candidates nominated as aforesaid, and not withdrawn.

8. If the number of Candidates nominated and not withdrawn shall Procedure equal but not exceed the number of Members to be elected, it shall be of canbe notified by the Returning Officer, in publishing the names of the didates ac-Candidates so nominated, that as the number of Candidates accords with number of the number of Members to be elected, there will be no poll, and that on members to be elected. the day of Election these Candidates will be held to be duly elected Members of the School Board.

9. If the due number of Candidates has not been nominated, the Retur- Procedure ning Officer shall report to the Board of Education that no Election has where due number of taken place.

not nomi-

10. If, four clear days before the day fixed for the day of Election, the Procedure number of Candidates nominated and not withdrawn shall exceed the where number of Members to be elected, the Returning Officer, or such person didates exor persons as shall be appointed by him for the purpose, shall on the ber of memday of Election proceed to take and collect, by ballot, the votes of the bers. Electors, in like manner as a poll at a contested Municipal Election is directed, by the Ballot Act, 1872, to be taken; and, subject to these Rules and Directions, the provisions of that Act shall apply to the Election of a School Board, with the substitution of the term "School Board Election" for the term "Municipal Election." 2

11. If the Burgh has been divided into Wards or Sections for the Method of purposes of the Election, then the votes in each Ward or Section shall votes. be collected and counted, not separately, but for the Burgh as a whole.

12. Within Three clear days after the day of Election, the Return- Notice of ing Officer shall, by advertisement in the local newspapers or otherwise, members elected; publish a List of those persons as Members of the School Board who have been returned without a poll, or those who, in case of a contest, have had a majority of votes; and shall make a return of the names return sent of said Members to the Board of Education.8

By order of the Board of Education for Scotland.

JAMES TAYLOR, Secretary.

1 Eight days are allowed in English boroughs. Candidates may in England be withdrawn after nomination six days before election.

The corresponding rule in the English Rules is as follows:—"The poll shall com-

mence at such an hour, not earlier than 8 A.M., and close at such an hour, not later than 8 P.M., as shall be fixed by the Returning Officer; but the poll shall not be open for more than seven hours.

The rule of the Ballot Act with regard to illiterate voters applies in burghs, though

no provision is made to meet their case in parishes. Cf. xii. 163.

² In the English Rules it is provided that the Returning Officer shall deliver the voting papers to the Town Clerk, to be kept for six months among the records of the borough.

Scale of Board Regulating Numbers in each School Board.

When the population (according to the census of 1871) of any Burgh, Parish, or School District exceeds 100,000, the School Board shall consist of 15 members. When it—

Amounts to 75,000, and does not exceed 100,000, 13 Members.

99	50,000,	,,	75,000, 11	"
))	10,000,	99	50,000, 9	27
. ,,	2,500,	"	10,000, 7	"

When it does not exceed 2,500, 5 Members.

This Scale shall be applicable in all cases, unless where, on a special representation made to the Board of Education, the number for any Parish or Burgh may have been otherwise determined.

List of Small Burghs, with populations under 3000, united to parishes in terms of Section 11 of the Education (Scotland) Act, by the Board of Education:—

Burgh.					Parish to which United.
Anstruther We	ster	***			Anstruther Wester
*Auchtermuchty		***		•••	Auchtermuchty.
Crail			•••	•••	Crail
Cromarty	•••	•••	•••	•••	Cromarty.
Cullen	•••	•••	•••	•••	Cullen.
Culross	•••	•••	•••	•••	Culross.
Dingwall	•••	•••	•••	•••	Dingwall.
Dornoch	•••	•••	•••	•••	Dornoch.
*Earlsferry	•••	•••	•••	•••	Kilconquhar.
*Falkland	•••	•••	•••	•••	Falkland.
Fortrose	•••	•••	•••	•••	Rosemarkie.
Inveraray	•••	•••	•••	•••	
Invertervie	•••	•••	•••	•••	Glenaray. Bervie.
	•••	•••	•••	•••	
Inverkeithing Inverurie	•••	•••	•••	•••	Inverkeithing.
	•••	•••	•••	•••	Inverurie.
Kilrenny	•••	•••	•••	•••	Kilrenny.
Kinghorn	•••	•••	•••	•••	Kinghorn.
Kintore	•••	•••	•••	•••	Kintore.
Kirkcudbright	•••	•••	•••	•••	Kirkcudbright.
Lauder	•••	•••	•••	•••	Lauder.
Lochmaben	•••	•••	•••	•••	Lochmaben.
*Newburgh	•••	•••	•••	•••	Newburgh.
New Galloway	•••	•••	•••	•••	Kells.
North Berwick	•••	•••	•••	•••	North Berwick.
Peebles	•••	•••	•••	•••	Peebles.
Pittenweem	•••	•••	•••	•••	Pittenweem.
Queensferry	•••	•••	•••	•••	Dalmeny.
Sanquhar	•••	,	•••	•••	Sanquhar.
Tain	•••	•••	•••	•••	Tain.
Whithorn.	•••	•••	•••	•••	Whithorn.
Wigtown	•••	•••	•••	•••	Wigtown.

Royal burghs.

Circular as to Quoad Sacra Parishes.

The following CIRCULAR, with regard to Quoad Sacra Parishes, has been issued by the Board:—

Quoad Sacra Parishes.

January 1873.

BOARD OF EDUCATION FOR SCOTLAND, EDINBURGH, 21st January 1873.

REV. SIR,

of.

To enable this Board to make up a correct List of those Quoad Sacra Parishes entitled, under the 10th Section of the Education (Scotland) Act, 1872, to separate School Boards, I am directed to request that you will be good enough to supply the information required in the subjoined Form.

If you will kindly return this paper in course of post, it will be esteemed a favour.

I am, Rev. Sir, your obedient Servant,

JAMES TAYLOR, Secretary.

To	the	Minister	of	the	Quoad	Sacra	Parish
----	-----	----------	----	-----	-------	-------	--------

		How Co	omposed.
Name of Quoad Sacra Parish.	Date of Erection.	If erected entirely from one Civil Pa- rish, insert the name of such Pa- rish here.	If erected from parts of two or more Civil Parishes, in- sert the names of such Parishes here.

N.B.—From the terms of the 10th Section of the Education Act, only such Quoad Sacra Parishes as are composed of two or more parts of Parishes will be entitled to separate School Boards.

List of Quoad Sacra Parishes entitled to School Boards under Section 10 of Education Act, 1872.

Parish.		County and Post Town.			Civil Parishes from which taken.			
				CAIT	HNE88	3.		
Keiss	•	•	Wick .	•	•	Wick and Canisbay.		
. Ross and Cromarty.								
Carnock Kinlochluich	nart	:	Beauly Dingwall	:	•	Contin, Fodderty, and Urray. Contin, Fodderty, and Urray.		
	Inverness.							
Glengarry	•	•	Invergarry	•	•	Boleskine, &c., Glenelg, Kilmoni- vaig.		
Inch . Stenscholl .			Kingussie Portree	:	:	Kingussie and Alvie. Kilmuir and Snizort.		
				Ва	NFF.			
Enzie .			Fochabers	22		Bellie and Rathven		
Glenrinnes	•	•	Dufftown	•	•	Aberlour and Mortlach		
Ord .	•	:	Banff .		:	Banff, Boyndie, Alvah, and Mar- noch.		
	Joir	ed to	Banff by C	rder	of Bo	ard, 7th February 1878.		
				ABE	RDEE	₹.		
Ardallie			Mintlaw			Cruden, Ellon, Longside, Old Deer.		
~1 .	•		Ballater	•	•	Glenmuick, &c., and Crathie.		
Millbrex	•		Banff .			Fyvie and Monguhitter.		
New Byth			Turriff			King Edward, New Deer, Aberdour.		
New Pitsligo)	•	Aberdeen	•	•	Fyvie, Aberdour, Strichen, New Deer.		
Savoch	•	•	Ellon .	•	•	Old Deer, New Deer, Ellon, and Tarves.		
Ythan Well	8	•	Huntly	•	•	Forgue and Auchterless.		
				Kino	ARDIN	te.		
Rickarton	•		Stonehaven	ı		Fetteresso and Glenbervie.		
	Join	ed to	Fetteresso 1	by Or	der of	Board, 31st January 1873.		
				Fo	RFAR.			
Friockheim						Kirkden and Inverkeillor.		
Broughty Fo	•			•		Dundee and Monifieth.		
All	Brou	ghty 1	Ferry Paris and has, the	h is w refore	rithin , no s	bounds of Broughty Ferry, eparate Board.		
				Pı	CRTH.			
Persie .			Blairgowrie	,		From Seven Parishes.		
Amulree			Dunkeld			From Seven Parishes.		
Blairingone	•	•	Stirling	•	•	Fossoway, Muckhart, Dollar, and Clackmannan.		
			Stirling			Port of Menteith and Drymen.		
Inverwick in	Glei		Aberfeldy			Fortingall and Weem.		
Kinloch Ran	noch		Pitlochrie	•	•	Fortingall and Logierait.		

Parise.	County and Post Town.	Civil Parishes from which taken.
	PERTH-co	ntinued.
Logicalmond .	Perth	Methven, Redgorton, Monzie, and Foulis Wester.
Tenandry Trossachs	Perth Callander	Dull, Moulin, and Blair Athol. Callander, Aberfoyle, and Port of
Crieff West Church	Crieff	Menteith. Crieff and Monzievaird.
Chen west Church		Crien and Monzievaird.
	Fire.	
Inverteil	Kirkcaldy	Abbotshall and Kinghorn.
Largoward	St Andrews	Kilconquhar, Cameron, Largo, Carnbee.
Lochgelly	Lochgelly	Auchterderran and Ballingray.
Springfield	Cupar	Cupar, Ceres, and Cults.
	ARGYLL	
Cumlodden	Inveraray	Glassary and Glenaray.
Lochgilphead .	· · · ·	Glassary and South Knapdale.
Salen Tarbert	Aros	Torosay and Kilninian.
lardert		Kilcalmonell and South Knapdale.
	RENFREW	•
Gourock	Greenock	Greenock West and Inverkip.
Levern	Paisley	Paisley-Abbey and Eastwood.
Skelmorlie	Greenock	Inverkip and Largs.
	AYB.	
Alloway	Ayr	Ayr and Maybole.
Crosshill	Maybole	Kirkmichael, Maybole, and Kirk- oswald.
Maybole West Church	h Maybole	Maybole and Kirkoswald.
•	LANARE	
Clarkston	Airdrie	New Monkland and Shotts.
Calderhead	Shotts	Shotts and Cambusnethan.
Larkhall	Hamilton	Dalserf and Hamilton.
Leadhills		Crawford and Crawfordjohn.
	EDINBURG	
Stobhill		Newbattle, Cockpen, Temple, and
Stoballi	•	Borthwick.
	Selkirk.	
Caddonfoot	Galashiels	Galashiels, Stow, Selkirk, Yarrow.
	Roxburgi	ı.
Edgerston	Jedburgh	Jedburgh, Southdean, and Oxnam.
•	DUMPRIE	
Brydekirk	Annan	Annan, Cummertrees, and Hoddam.
	Kirkcudbri	·
		•
Balgrennan	Newton Stewart .	Monigaff and Penninghame.
Corsock	Dalbeattie	Balmaclellan, Kirk Durham, and Parton.
	Wigtown	4.
Shenchan	Stranraer	Leswalt and Portpatrick.
DAVUULAL		

XIV.

LIST of PARISHES and BURGHS in each County of Scotland having separate School Boards, with the population as at the Census of 1871.

1. The counties are arranged in the same order as in the list of

Inspector's Districts (see page 10).

2. The names of burghs, excepting those dealt with (under section 11 of the Act) as parts of the parishes in which they are situated, and of the towns in Schedule A. of the Education Act, are printed in small capitals.

3. The names of parishes, including burghs dealt with (under section 11 of the Act) as parts of the parishes in which they

are situated, are printed in ordinary type.

Index.	Number on List.	Index.	Number on List.	Index.	Number on List.
Aberdeen Argyll Ayr Banff Berwick Bute Caithness Clackmannan Cromarty Dumbarton Dumfries	. 23 . 14 . 11 . 24 . 7 . 13 . 31 . 19 . 38 . 16	Elgin (or Moray Fife Forfar Haddington Inverness Kincardine Kinross Kirkcudbright Lanark Linlithgow Nairn	30 20 22 2 28 25 18 9 3 21	Orkney	. 26 . 4 . 17 . 12 . 33 . 6 . 6 . 5 . 27 . 15 . 32

	LI	ST.			
1. EDINBURGH.		EDINBURGH—Co	mtin	ued.	
Borthwick	1,494				7,513
Carrington	712			•	2,424
Cockpen	2,481	Newton	•	•	1,181
Colinton		Penicuick	•	•	3,765
Corstorphine	1,788	PORTOBELLO (Burgh).	•		5,481
Cramond	8,061	Ratho	•		1,744
Cranston	1,036				2,447
Crighton	1,223	Stow			1,957
Currie	2,36 0	Temple		•	658
DALKEITH (Town)	6,386	West Calder			7,865
Dalkeith (Landward)	1,2 81				•
Duddingston (Landward)	2,481	0 774777777	1ma	27	
EDINBURGH (City)	196,979	2. HADDING	ITO.	Ν.	
Edinburgh, St. Cuthbert's Par-	•	Aberlady		•	1,022
ish (Landward)	4,061	Athelstaneford	•		844
Fala and Soutra	364	Bolton			864
Glencross	1,153	Dirleton			1,419
Heriot	414	DUNBAR (Burgh) .			8,431
Inveresk (Landward)	2,554	Dunbar (Landward) .		•	1,551
Kirknewton and East Calder .	2,198	Garvald			832
Lasswade	7,098	Gladsmuir		•	1,863
LEITH (Burgh)	44,280	HADDINGTON (Burgh)			4,007
Leith, South (Landward)	1,713	Haddington (Landward)	•		1,728
Liberton	8,791	Humbie			967
Mid Calder	1,624	Innerwick		•	892

Haddington—Continued.		LANABE—Continued,	
Morham	204	LANABR—Continued. Libberton Pettinain Shotts (circa) Stonehouse Symington Walston Wandell and Lamington Wiston and Roberton 4. PEEBLES. Broughton, Glenholm, and Kilbucho Drumelzier Eddlestone Innerleithen	601
North Rerwick (Including Rurel	h) 2.373	Pettingin	366
Oldhamstocks (Houding Durg	592	Shotts (circa)	5 759
Ormiston	911	Stonehouse	8 177
Pencaitland	1.320	Symington	442
Prestonkirk	1,931	Walston	425
Prestonpans	2,069	Wandell and Lamington	332
Salton	647	Wiston and Roberton	680
Spott	560		
Stenton	612	4. PEEBLES.	
Tranent	4,852	Broughton Glenholm and Kil-	
Whitekirk and Tynninghame .	1,073	bucho	729
Whittingname	1 007	Drumelzier	221
lester	1,001	Eddlestone	700
		Innerleithen	2,776
3. LANARK.		Kirkurd	294
		Lyne and Megget	174
1. North Lanark.		Broughton, Glenholm, and Kilbucho Drumelzier Eddlestone Innerleithen Kirkurd Lyne and Megget Manor Newlands Peebles. (Including Burgh) Skirling Stobo Traquair Tweedsmuir West Linton	271
Avondale	5,460	Newlands .	851
AIRDRIE (Burgh)	13,488	Peebles. (Including Burgh) .	8,172
Barony. Added to Springburn .		Skiring	450
Blantyre	8,472	Traquair	880
Bothwell	19,292	Tweedsmuir	190
Cadder	6,464	West Linton	1.387
Calderhead (curca)	4,300		-,
Campusiang	700	5. SELKIRK.	
Clarkston	4 909	Caddonfoot	600
Dalvial	9,175	Ettrick	434
East Kilbride	3.861	GALASHIELS (Burgh)	5.477
GLASGOW (Burgh)	477,156	Galashiels (Landward)	444
Glasford	1,430	Kirkhope	365
Govan	56,753	Roberton	593
HAMILTON (Burgh)	12,675	SELKIRK (Burgh)	4,615
Hamilton (Landward)	4,128	Selkirk (Landward)	940
Larkhall	0,332	Yarrow	907
Leadhills	10,608	& PATRIIPAU	
New Monkland (Landward)	5 064	o. Itembuludii.	7 007
Old Monkland (Landward) .	84,073	Ancrum	1,991
RUTHERGLEN (Buroh)	10,086	Ashkirk	องบ องอ
Rutherglen (Landward)	680	Rowden	842
Shettlestone	7,517	Castleton	2.202
Springburn	2,132	Cavers	1,443
	-	Crailing	657
0 64 7		Eckford	931
z. Soun Lanark.		Edgerston	365
Biggar	2,013	Ednam	613
Cambusnethan (circa)	18,626	HAWICK (Burgh)	8,370
Carluke	7,066	Hawick (Landward)	363
Carmichael	708	Hodkirk	718
Carnwath	0,709	Inputed (Runch)	200 9.079
Carstairs	1,/18	Jadhurch (Landward)	0,070 1 809
Coving ton and Inankerton .	794	Kelso	K 124
Crawfordighn	845	Kirktown	320
Cultar	793 793	Lilliesleaf	788
Dalserf	2.009	Linton	570
Dolphington	231	Makerston	361
Douglas	2,624	Maxton	481
Dunsyre	302	Newlands Peebles. (Including Burgh) Skirling Stobo Traquair Tweedsmuir West Linton 5. SELKIRK. Caddonfoot Ettrick GALASHIELS (Burgh) Galashiels (Landward) Kirkhope Roberton SELKIRK (Burgh) Selkirk (Landward) Yarrow 6. ROXBURGH. Ancrum Ashkirk Bedrule Bowden Castleton Cavers Crailing Eckford Edgerston Ednam HAWICK (Burgh) Hawick (Landward) Hawick (Burgh) Hobkirk Hownam JEBBURGH (Burgh) Jedburgh (Landward) Kelso Kirktown Lilliesleaf Linton Makerston Maxton Melrose Minto Morebattle Oxnam	9,432
LANARK (Burgh)	5,829	Minto	431
Lanark (Landward)	2,012	Morebattle	986
Logmobacom	¥ 700		669

APPENDIX.

Roxbungs	Continued.	1	DUMPRIES —Con	tinued.	
Boxburgh		1,053	Hoddam		1,520
St Boswells		973	Holywood		1,069
Smailholm		534	Hutton and Corrie .		842
Southdean		674	Johnstone		1,089
Sprouston		1,294			828
Teviothead	•. •	515	Kirkconnel Kirkmahoe		952 1,33 2
Wilton (Parish) . Yetholm		3,936 1,100	Kirkmichael	•	903
remonit		1,100	Kirkpatrick-Fleming		1,529
7. BERV	VICK.		Kirkpatrick-Juxta .	: :	1,091
Abbey St Bathans .		195	Langholm Lochmaben. (Including)	Burgh)	3,735 3,085
Ayton		1,983	Middlebie		2,000
Bunkle and Preston .		764 705	Moffat		2,543
Channelkirk Chirnside		1,413	Morton		2,099
Cockburnspath .	• •	1,133	Mouswald	•	647
Coldingham	: :	3,093	Penpont Ruthwell	• •	1,323 972
Coldstream		2,619	St Mungo	•	658
Cranshaws		142	Sanquhar. (Including B	areh)	3,038
Dunse		3,602	Tinwald	-6-,	998
Earlston	• •	1,977	Tortherwald		1,098
Eccles		1,780	Tundergarth		510
Evemouth		1,513 2,372	Tynron		381
Fogo	•	502	Wamphray		505 540
Foulden		425	Westerkirk	• •	540
Gordon		876	A FIDECHION	DIATE	
Greenlaw		1,381	9. KIRKCUDBI	MUHI.	
Hume and Stitchell .		848	Anwoth		827
Hutton		1,077	Balmaclellan		861
Ladykirk		518 548	Balmaghie		1,085 428
Langton	Sump)	2,120	Bargrennan Borgue		1,087
Legerwood	mgu/	525	Buittle	•	1,026
Longformacus	: :	452	Carsphairn	: :	545
Merton		734	Colvend		1,318
Mordington		402	Corsock Bridge .		563
Nenthorn		434	Crossmichael		1,492
Polwarth		249 996	Dalry	• •	1,074
Swinton		784	Girthon		1,58 6 81 5
Whitsome		608	Irongray Kells (Parish)		1,007
windome	• •	000	Kelton	: :	3,222
8. DUMI	POTTEG		Kirkbean	: :	825
	RIES.		Kirkcudbright. (In	aluding	
Annan (Burgh) . Annan (Landward) .		8,577	Burgh)		3,346
Annan (Landward)	13:-	1,054 902	Kirkgunzeon		661
Applegarth and Sibba Brydekirk	TOTO .	731	Kirkmabreck		1,568
Canonbie		3,055	Kirkpatrick-Durham Lochrutton	•	1,218 656
Carlaverock		1,151	Lochrutton Minnigaff		1,329
Closeburn		1.612	New-Abbey		931
Cummertrees		1,072	Parton		5 26
Dalton		577	Rerrick		1,911
Dornock		826	Terregles		547
Dryfesdale		2,825	Tongland		908
DUMFRIES (Burgh) .		13,763 1,078	Troqueer		5,402
Dumfries (Landward) Dunscore	•	1,504	Twynholm	• •	717 4,606
Dunscore Durrisdeer	• •	1,189	Urr	• •	2,000
Eakdalemuir		551			
Ewes		338	10. WIGTO	WN.	
Glencairn		1,749			1,196
Graitney (or Gretna)		1,395	Inch		3,268
Halfmorton		611	Kirkcolm		1,948

WIGTOWNContinued. irkcowan irkinner	1 359	ATR—Continued.	
irkcowan irkinner irkmaiden	1 252		
irkinner	1,004	Sorn	4,032
irkmaiden	1,548	Stair	1734
	2,507	Stevenston	5,019
aswart	1,249	Stewarton	4,478
ochrum	2,450	Straiton	1,448
ew Luce	661	Symington	792
ld Luce (or Glenluce)	2,449	Tarbolton	8,219
enninghame	3,712	West Kilbride	1,847
ortpatrick	1,492		
neuchan	1,247	12. RENFREW.	
ordie	2,007	Abbey, Paisley (Landward) .	12,786
MDANDARD (Rusch)	2,000 8 851	Cathcart	7,134
Thithorn	9,001	Eaglesham	1,714
lictown	2,300	Eastwood	12,966
	0000 م	Erskine	1,565
11 AVR		Gourock	3,291
11. A 1 1v.	7 025	GREENOCK (Burgh)	57,146
rurussuu	4,200 6 174	Greenock, East Parish (Land-	700
wn /Purch)	17 259	(ward)	732
re (Landward)	1 919	Greenock, West Parish (Land-	000
yr (Danuwaru)	1,210 R15	ward)	030
monay	1 977	noustoun and Killelian	Z,10/
anantiae	879	Inchinnan	004
oith	6 223	Innerkip	8000
olmonall	2 293	Kiloarchan	1 714
ovlton	1.440	Limaicoim	9 419
rajoia	618	Levern	2,410
rosshill	1.372	Macros	9 543
ailly	1,932	Neilston	11 136
almellington	6,165	PAISLEY (Rurch)	48,240
alry	10,885	PORT GLASGOW (Rurch)	10.828
alrymple	1,412	Port Glasgow (Landward).	,
reghorn	8,241	United to East Parish.	
undonald	6,964	Greenock,	
unlop	1,160	RENFREW (Burgh)	4,993
enwick	1,318	Renfrew (Landward)	903
alston	6,831	Skelmorlie	886
IRVAN (Town)	4,791	l	
rvan (Landward)	894	13. BUTE.	
IVINE (Burgh)	4,299	Cumbuna	1 619
vine (Landward)	1,0/6	Kilhwida	2, 220
Hournie	4,908	Kilmory	2,000 9,970
ilmannock (burgh)	24,090	Kingarth	901
HIMATHOCK (LANGWARG)	3 440	North Bute and Rothesy /Land	001
HHBUFS	7 275	ward). United 817	1,393
interminate	1 195	ROTHRAY (Burch)	7,800
	1,140		.,
HAUDWAIU	9 541	14. ARGYLL.	
mga	5 595	7 7 7 4 1	
ouchline	9 495	1. North Argyll.	
aucuille	2, 1 00	MAINLAND.	
aybole (West Church)	0,010	Abaracle	1.234
Quad sama	2 212	Ardchattan and Muckairn	1.792
onkton and Prestwick	1 744	Ardnamurchan	2,293
nirkirk	3,253	Craionish	481
ew Cumnock	8,434	Cumlodden	826
ewton-on-Avr (Landward)	0,101	Dunoon and Kilmun	6.871
United to St. Onivox 817		Glassary	1.535
chiltree	1.656	Glenorchy and Inishail	1.054
	4,041	Glenaray (including Burgh of	-,
ld Cumnock			
ld Cumnock	5.845	Inverary)	519
Id Luce (or Gienluce) enninghame ortpatrick heuchan ortpatrick heuchan lorbie coneykirk reannraer lithitorn lithitor	5,845	Inverancy	519 443

APPENDIX.

ARGYLL—Continued.	- 1	Stirling—Continued,
Kilchrenan Dalavich	484	Larbert
Kilfinan	2,228	Muiravonside 2,653
Kilmallie (circa) Kilmartin	,066	Polmont 3,910
Kilmartin	869	St Ninians 7,570
Kilmodan .	358	Slamannan 4,847
Kilmore and Kilbride (exclusive	200	STIRLING (Burgh) 14,279 Stirling (Landward). To be added to adjacent Parish . 85
of Burgh of Oban)	826	Stirling (Landward). To be
Kilninver and Kilmelford	759	added to adjacent Parish . 85
Lismore and Appin	3,535	Strathblane 1,235
Lochgilphead	3,680	
Lochgoilhead and Kilmorich	766 899	16. DUMBARTON.
Morven OBAN (Burgh)		Arrochar
Straischlan and Strachur	2,576 867	
Stranschian and Strachur	803	
Strontian	000	Cardross
Insular.	1	DUMBARTON (Burgh) . 11,418
		DUMBARTON (Burgh) 11,418 Dumbarton (Landward). To be
Coll	723	added to adjacent Parish . 185
Kilfinichen and Kilvickeon .	2,448	Kilmaronock 978
	2,533	KIRKINTILLOCH (Town) . 6,139
Salen	605	Kirkintilloch (Landward) . 2,118
Torosay	855	Luss
Tyree	2,837	New or East Kilpatrick . 6,038
	ŀ	Old or West Kilpatrick . 5.346
2. South Argyll.		Old or West Kilpatrick . 5,846 Roseneath . 1,780
Mainland.		Row 8,439
	l	
	3,717	17. PERTH.
Campbeltown (Landward)	L,863	Aberdalgie 423
Kilcalmonell and Kilberry	1,169	
	1,614	Abernethy
North Knapdale	1,059	Aberrote
Saddell and Skipness	1,145	
Southend .	1,044	Alyth (incl. Town) 3,151 Amulree (formed since census
Tarbert	1,866	tion under 1000)
Twarre		Ardoch 1.316
INSULAR.		Auchterarder (incl. Town) . 3,795
Colonsay and Oronsay	456	Auchtergaven 2,141
Gigha and Cara	390	Auchtergaven 2,141 Balquhidder
Jura	952	Bendochy 474
Kilchoman	2,861 2,283	
Kildalton	2,283	
Killarrow and Kilmeny	3,012	Blairgowrie (incl. Town) . 4,832
		Blairingone 469
15. STIRLING.	l	Collandon 1 668
Airth	1,396	Caputh
Airth	4,296	Cargill
Baldernock	616 I	Clunie 608
Balfron	1,502	Collace
Bothkennar	2,455	Collace
Buchanan	591	Crieff (incl. Town) 4,598
Campsie	3,739	Culross (incl. Burgh) . 1,354
Denny	1,993	Comrise 1,848 Crieff (incl. Town) 4,598 Culross (incl. Burgh) 1,354 Dron 343 Dull 2,453 Dunbarney 913 Dunblane 2,765 Dunkeld and Dowally 839 Dunning 1,832 Errol 2,504
Drymen	L, <u>405</u>	Dull 2,453
Dunipace	1,733	Dunbarney
FALKIRK (Burgh) 12	2,716	Dunblane
Falkirk (Landward)	,561	Dunkeld and Dowally 839
Fintry	499	Dunning 1,832
Gargunnock		
Killearn	,111	Findo Gask 369 Forgandenny 632
Airth Alva Baldernock Balfron Bothkennar Buchanan Campsie Denny Drymen Dunipace FALKIRK (Burgh) Falkirk (Landward) Fintry Gargunnock Killearn KILSTYH (Town)	,895	Forgandenny 632
Kilsyth (Landward)	,418	Forteviot
Kinnen	668	Fortingall 700

Per	гнСоп	timerai	,		00 101100	
Fowlis Easter /	rima)	u v m mea	•	800	20. FIFE.	
Fowlis Wester	• •			850		_
Gartmore .		•	•	3 53	§ 17. Abdie	1,05
Glendevon Inchture		•	•	105 6 59	Aberdour	1.69
Innerwick (Gler	ilwon)	•	•	803	Anstruther Easter	1,16
Kenmore .	пуоц	•	:	393 1,615 1,856 3,170 679 1,484 607 578 921 299 3,108 898	Anstruther Wester	54
Killin .	: :	:	:	1,856	Arngask	1.60
Kilmadock		•	•	3,170	Auchtermuchty	1,62 2,95
Kilspindie		•	•	679	Auchtertool	52
Kincardine	• •	•	•	1,484	Ballingry .	39
Kinclaven Kinfauns	• •	•	. •	678	Balmerino	71
Kiniauns Kinloch-Rannoc	, i	•	•	921	Beath	3,53
Kinnaird .		•	:	299	BURNTISLAND (Burgh)	8,42
Kinnoull .	: :	•	:	3,108	Burntisland (Landward)	45
Kirkmichael				898	Cameron	88 1,02
Lecropt .		•		535 430	Compach	1,76
Lethendy and E	Kinloch	•	•	430	1 ~	2.38
ittle Dunkeld		•	•	2,352 1,539	Collessie	2,38 1,70
ogie (excl. Sti	rung)	•	•	1,539	Crail	1,84
ogiealmond ogierait		•	•	040 0 055	Creich	38
ongforgan	: :	•	:	1.753	Cults	71
Madderty .	: :	:	:	646 2,255 1,753 523 1,003 2,278	CUPAR (Burgh)	4,11
leigle .	: :		:	1.003	Cupar (Landward)	1,94
lethven .				2,278	Dairsie	68 1,31
				244	ITS 71.	39
Ionzie .	· ·	•	•	324	DUNFERMLINE (Burgh)	16,45
Ionzievaird and	i Strows	an	•	324 602 1,561 612 1,978 820 22,731	Dunfermline (Landward)	6,86
Ioulin . Iuckhart .	• •	•	•	1,061	Dunino	32
duthill .	• •	•	•	1 072	DYSART (Burgh)	8,95
Persie	: :	:	•	820	Dysart (Landward)	72
ERTH (Burgh)	: :	:	:	22 ,731	Elie	77
ERTH (Burgh) erth (East par	ish) Lan	dward	ı.	776 875	Falkland	3,06
cort or wontest	h.	•		875	Flisk	2,67 21
lattray .		•	•	2,586	Forgan	2,24
Redgorton		•	•	2,586 1,401 327	Inverkeithing	3,07
Rhynd . St Madoes		•	•	827	Kemback	1.08
st Madoes St Martin's		•	•	290 735 2,240	Kennoway	1,70
loone		•	•	2 240	Kettle	2,39
Cenandry .		•	:	530		1,48
libbermore	: :	:	:	530 1,563	Kilmany	60
rinity Gask				415	Kilrenny Kinghorn (incl. Burgh)	3,0
rossachs				415 272	Kinglassie	2,60 1,08
Culliallan (incl.	Kincard	dine)		2,184	Kingsbarns	92
Weem .		•	•	434	KIRKCALDY (Burgh)	12,4
					Kirkcaldy (Landward)	1,07
18.	. KINR	oss.			Largo	2,10
					Largoword	1.09
leish .	· · .	. •	٠	539	Leslie	4,29
Tossoway and I	TUI 110 DOI	ө.	•	1,084	Leuchars	1,79
Orwell .	• •	•	•	2,477 2,248	Lochgelly	2,98
Portmoak .		•	•	1,193	1 30 0 1	4(8.41
·		•	•	1,100	Markinch	[5,4] 9]
10 07	A 07734	A STRY			Moonzie	18
	LACKM.	ANN	LN.		Newburgh	2,52
ALLOA (Town)				9,369	Newburn	36
ALLOA (Town) Alloa (Landwar	d) .			1.512	Pittenweem	1,80
Clackmannan			•	3,627	ST ANDREWS (Burgh)	6.32
Doll ar . Fillicoultry		•	•	2,524	ST ANDREWS (Burgh) St Andrews and St Leonards St Monance	2.27
				צוות	I NE Monance	1,76

FIFE—Continued.	1	FORFAR—Continued.	
Saline	1,367	Lintrathen	756
Scoonie	3,178	Lochlee	424
Springfield	1.098	Logie Pert	1,251
Strathmiglo	2,267	Lunan	248
Torryburn	943	Lundie (circa)	391
Wemyss	6,400	Mains and Strathmartine	2,749 896
01		Marytown	761
21. LINLITHGOW.		Menmuir	2,325
Abercorn	933	Monifieth (exc. B. Ferry)	1,397
BATHGATE (Town)	7,699	Montrose (Burgh)	14,431
Bathgate (Landward)	2,430	Montrose (Landward)	1,352
Borrowstounness	4,986 1,799	Murroes	751
Carriden	1,700	Newtyle	931
Queensferry	2,440	Oathlaw	452
Ecclesmachen	329	Panbride	1,331
Kirkliston	2,187	Ruthven	247
	8,690	St Vigeans (including Arbroath,	
Linlithgow (Burgh) Linlithgow (Landward)	1,864	Landward)	2,670
Livingstone	1,727	Stracathro	503
Torphichen	1,630	Tannadice	1,286
Uphall	2,772	Tealing	879
Whitburn	6,911		
		23. ABERDEEN.	
22. FORFAR.		ABERDEEN (Burgh)	60,2 44
Aberlemno	1,007	Aberdour	1,920
Airlie	778	Aboyne and Glentanner	1,351
Arbirlot	919		1,396
ARBROATH (Burgh)	19,973	Ardallie	1,356
Arbroath (Landward, united to		Auchindoir and Kearn	1,54 5 1,971
St Vigeans)	721	Belhelvie	1,833
Barry	3,008	Birse	1,198
	7,959	Bourtie	499
Brechin (Burgh) Brechin (Landward)	1,555		775
BROUGHTY-FERRY (Town) .	5,707		1,525
Carmylie	1,309	Chapel of Garioch	1,928
Careston	209	Clatt	483
Cortachy and Clova	554		1,366
Coupar Angus	2,797		542
Craig	2,402	Crathie and Braemar	1,536
Dun	565		887
DUNDEE (Burgh)	118,977 803	Cruden	2,643
Dundee (Landward)	1,536		896 597
Eassie and Nevay	586	Drumblade	931
Edzell	976		1,032
Farnell	580		945
Fearn	348		1.259
FORFAR (Burgh)	11,642	Ellon	2,816
Forfar (Landward)	943		1,108
Friockheim	1,432		1,332
Glammis	1,813	Foveran	1,859
Glenisla	925		5,301
Guthrie	404		3,306
Inversity	888		972
Inverkeillor	1,189 855		1,061
Kettins	409		570 1,602
Kingoldrum	788	Glengairn	1,002 588
Winnestler	766 405	Huntly (incl. Town)	4,374
Kirkden	523	Insch	1,596
Kirriemuir (incl. Town)	6,420	Inverurie (incl. Burgh)	2,970
Lethnott and Navar	318	Keig	886
Liff, Benvie, and Invergowrie .	1,834	Keith hall and Kinkell	874
•	-		

PARISHES AND BU	RGHS I	HAVING SCHOOL BOARDS.	17
ABERDEEN-Continued.		BANFF- Continued.	
Kemnay	1,300	Glenrinnes	46
Kennethmont	1,062	Grange Inversoon Inverkeithny Keith Kirkmichael Marnoch Mortlach Ordiquhill Rathven (incl. Buckie) Rothiemay St Fergus	1,87
Vildus mana	RRA	Inversion	2,60
Kincardine O'Neil	2,000 1,058 601 2,158	Inverteithny	1,00
King Edward	1,058	Koith	1,00
Kinnellar	7,000	Violential and	5,89
	0150	Kirkmichael	1,27
Kintore (incl. Burgh)	2,100	Marnoch	3,29
Leochel-Cushnie	1,014	Mortlach	2,78
Leslie Logie Buchan Logie Coldstone Longside	532	Ordiquhill	76
Logie Buchan	808	Rathven (incl. Buckie)	8.25
Logie Coldstone	900	Rothiemay	8,25 1,37
Longsido	8,262	St Fergus	1,68
Lonmay	2,245	~	2,00
Lumphanan		At 11111A . D. 1111	
Mothlio	9,084	25. KINCARDINE.	
Methlic	2,002	Arbuthnot	92
Midmar	1,127	Banchory-Devenick	3,05
Milbrex	1,484	Banchory-Ternan	2,87
Monquhitter	2,670	Benholm	
Monymusk	996	Donato (in al Dana 3.)	1,56
Longsido Lonmay Lommay Lumphanan Methlio Midmar Milbrox Monquhitter Monymusk New Byth New Dear Newhills New Machar New Pitsligo Old Deer Old Machar Oyne Peterculter	2,084 1,127 1,484 2,670 996 2,216 4,009	Bervie (incl. Burgh)	1,84
New Dear	4,009	Dunnottar (incl. part of Stone-	
New Dear	4,210	haven)	2,10
Newhills	1,483	Durris	1,02
New Machar	1,400	Fettercairn	1,58
New Pitsligo	3,090	Fettorogen and Distractor	-,00
Old Deer	3,922		
Old Machar	29,310 2,330 1,050	Chambianan', (Incl. part of	F 00
Old Meldrum	2,330	Stonemiven)	5,66
Ovne	1,050	proruoum	2,11
Pataroultar			47
Demension / Dunch	9 691	Glenbervie	1,07
Peterculter PETERHEAD (Burgh) Peterhead (Landward) Pitsligo Premnay	8,621 2,885 2,218 997 2,850	Glenbervie Kinneff and Catterline	1,06
Peternead (Landward)	2,000	Laurencekirk Laurencekirk Maryculter Marykirk Nigg St Cyrus Strachan	2,17
Pitsligo	2,218	Marvoulter	ĩ,îi
Premnay	997	Mambrish	1,77
Rathen	2 ,850	Marykiik	1,77
Ravne	1,409	Nigg · · · ·	2,34
Rhynie	1,195	St Cyrus	1,58
Savoch	1,877	Strachan	78
Cliene	1,842		
Skene		26. ORKNEY.	
Sians	1,355	Cross and Burness	1 1/
Strathdon	1,469	1 T2' 3 T3 3 - 11	1,10
Strichen	2,254	Evie and Rendall	1,84
Tarland	1,275	Firth and Stennes	1,48
Rathen Rayne Rayne Rhynie Savoch Skene Slains Strathdon Strichen Tarland Tarves Tough	2,288	Harray and Birsay	2,82
Tough	760	Holm	98
Towie	2,254 1,275 2,288 760 798 970 4,348	Firth and Stennes Harray and Birsay Holm Hoy and Graemsay KIRKWALL (Burgh) Kirkwall and St Ola Lady North Ronaldshay	58
TOM10	070	KIRKWALL (Burgh)	8,48
Tullynessle and Forbes	9/0	Kirkwall and St. Ole	82
Turriff	4,348	Tade	98
Tyrie	GUÐ	1	
Udny	1,663	North Konaidanay	53
Ythan Wells	1,494	Orphir Rousay and Egilsay St Andrews and Deerness Sandwick Shapinshay	1,04
•	•	Rousay and Egilsay	1,10
24. BANFF.		St Andrews and Deerness .	1,78
		Sandwick .	1,18
Aberlour	1,632	Shaninshay	7,94
Alvah	1,436	South Ronaldshay and Burray	3,22
BANFF (Burgh)	4,051		0,22
Banff (incl O S Par of Ord	-,	Stromness	2,40
BANFF (Burgh) . Banff (incl. Q. S. Par. of Ord. united under § 17) (Landward)	964	Stronsay and Eday	2,40 2,21 1,53
Detrintais 11) (Lauca ward)	701 701	Walls and Flotta	1,58
Botriphnie	785	Westray and Papa Westray .	2,46
Boyndie	1,854		
Cullen	2,215	OF CITIONITANT	
Deskford	972	27. SHETLAND.	
Enzie	2,251	Bressay	1,8
Fordyce	4,159	27. SHETLAND. Bressay	1,86
			4,52
Forglen	010	Fetlar and No Yell	1,41
Marinia.	A KGT	I Totler and No Vall	

APPENDIX.

SHETLAND—Continued.	ELGIN (OB MOBAY) - Continued. 3,817 343 Dallas 1,060 Drainy 3,293 Duffus 3,716 Sample 3,659 Sample
Farmish and Culbornish	,180 Cromdale 3,817
Mid and Co Vall	843 Delles 1.060
Marking O	670 Dating
Nosting	600 Dugany
Northmavine	.002 Durus 3,716
Mid and So Yell 1, Nesting 2, Northmavine 2, Sandsting and Aithsting 2, Tingwall 2, Unst 2, Walls 2,	,800 Dyke
Tingwall	,491 Edinkillie 1,286
Unst	,780 Elgin (Burgh) 6,241
Walls 2	,579 Elgin (Landward) 2,363
	FORRES (Burgh) 3.659
28. INVERNESS.	Forres (Landward) 603
	Kinloss 1.112
Mainland.	Knockendo 1 000
Alvie	882 New Spyrie 1 612
Abernethy 1	.752 Refford 1,101
Ardergier	284 Dother 0149
Polesking and Abertarff 1	465 04 4 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3
Crow and Deleners	841 St Andrews, Lhanbryde 1,346
Desire and Desireben	500 Speymouth 1,708
Daviot and Dunnenty 1	1,244 Urquhart 1,244
Dores	, 1 01
Duthill 1	,872 31. CAITHNESS.
Glenelg 1	,624 Barrier
Glengarry	692 Bower 1,700
INVERNESS (Burgh) 14	510 Canisbay
Inverness (Landward) . 4	042 Dunnet 1,661
Kilmonivaig 1	7417 Halkirk
Kilmoreak 2	728 Keiss (circa) 1,124
Wiltonlity 9	537 Latheron
Win amoria	742 Olrig
Kingussie,	369 Reay 2,331
insn	582 Thurso 5,754
Kirkhill	950 Watten
Laggan	950 17 20001
Moy and Dalarossie 1	,005 Wick (Burgh) 8,145
Moy and Dalarossie 1 Petty 1	005 Wick (Burgh) 8,145 549 Wick (Landward) 4,022
Moy and Dalarossie	005 Wick (Burgh) 8,145 549 Wick (Landward) 4,022 780
Moy and Dalarossie	,005 WICK (Burgh) 8,145 ,549 Wick (Landward) 4,022 ,780 82. SUTHERLAND.
Moy and Dalarossie . 1 Petty . 1 Urquhart and Glenmoriston . 2	780 Wick (Landward) 4,022 32. SUTHERLAND.
· INSULAR.	Assynt
· INSULAR.	,997 Clyne
Barra	Assynt
Barra	Assynt 3,000
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	997 Clyne 1,733 113 Creich 2,524 120 Dornoch (incl. Burgh) 2,764 120 Durness 1,049 1362 Eddrachillis 1,530 179 Parr 2,019 18928 Golspie 1,804 18928 Kildonan 1,916 1893 Loth 583 1749 Rogart 1,341 1893 Tongue 2,051 33. ROSS AND CROMARTY.
Barra 1 Bracadale 1 Duirinish 4 *Harris 4 Kilmuir 1 North Uist 4 Portree 2 Sleat 2 Small Isles Snizort 2 South Uist 5 Stenscholl 1 Strath 2 NAIRN.	Assynt S,000

[•] Attached to inspector's district, 13 (Ross).

LIST OF PARISHES IN WHICH ELECTIONS FAILED. 177

Ross and C	BOM	ARTY	—Co	nlinu	ed.	Ross and Cromarty—Continued	•
Glenshiel .					463	Resolis 1	.527
Killearnan				•	1,272	Rosemarkie (incl. Fortrose) . 1	.441
Kilmuir Easter					1,281		,808
Kiltearn .					1,496	Tain (incl. Burgh) 3	,221
Kincardine					1,685	Tarbat	182
Kinloch-Luicha	rt				704	Urquhart and Logie-Wester . 2	,863
Kintail .					753	Urray 2	278
Knockbain					2,155	•	•
Lochalsh .					2,319	Insular.	
Lochbroom					4,406	-	
Lochcarron (cin	ca)				1,629		,950
Logie Easter	•				912		880
Nigg .					1,201		,510
Poolewe .	•	•	•	•	2,623	Uig 3,	,143

LIST OF PARISHES IN WHICH ELECTIONS FAILED.

County. Parish.	
ORKNEY 1. Cross and Burness,	—Election declared invalid by sheriff, as returning officer illegally refused to re- ceive a nomination of a candidate.
date	n declared invalid by sheriff. Odd candi- withdrew on day of election, whereupon rning officer stopped proceedings, and took oll.
BANFF	In all these cases candidates withdrew, so as to leave fewer candidates than the number of seats. The returning officer had therefore to intimate that there was no election.

XV.

INSPECTORS' DISTRICTS.

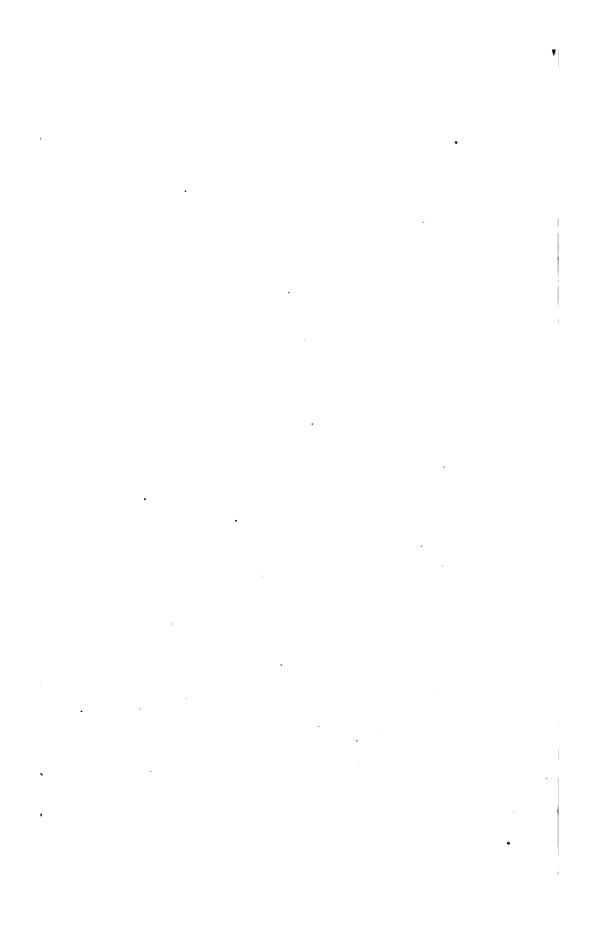
SCOTLAND.

N.B.—Where more than one Inspector is employed in the same District, the name of the Chief Inspector is printed first. The Names of the Inspectors' Assistants are printed in italics.

Number of District.	COUNTY OR DISTRICT.	Popu- LATION (1871).	H. M. Inspectors and Inspectors' Assistants.	Head-quarters.
•1	Edinburgh . Haddington .	328,335 37,77° 366,105	J. Gordon, Esq C. E. Vertue, Esq. Mr R. Small .	3 Bellevue Crescent, Edin., N.B. 22 Duke Street, Edinburgh, N.B. 3 Livingstone Place, Meadows, Edinburgh, N. B.
2	North Lanark	682,674	Dr Middleton . R. J. Muir, Esq. Mr R. Calder .	Dechmont Lodge, Bothwell, Lan- arkshire, N.B. 247 Bath Street, Glasgow, N.B. 296 Renfrew Street, Glasgow, N.B.
†3	South Lanark Peebles . Selkirk Roxburgh . Berwick .	82,665 12,314 14,001 53,965 36,474 199,419	A. E. Scougall, Esq.	, , ,
4	Dumfries . Kirkcudbright Wigtown .	74,794 41,852 38,795 155,441	A. O. Barrie, Esq.	8 George Street, Dumfries, N.B.
5	Ayr	200,745	J. Hall, Esq Mr J. Henderson	Bellevue, Irvine, N.B. North Quay, Ayr, N.B.
6	Renfrew . Bute . South Argyll (Islay and Jura) .	216,919 16,977 28,336 262,232	Dr. Wilson Mr J. Binnie .	2 Kew Terrace, Glasgow, N.B. 252 Stewartville Place, Partick, Glasgow, N.B.
‡7	North Argyll (Mull). Stirling Dumbarton .	47,343 98,179 58,839 204,861	R. Ogilvie, Esq Mr W. Whyte .	8 Park Terrace, Stirling, N.B. Stirling, N.B.

^{*} The Chief Inspector of this district to be also Inspector of Training Schools.
† The Parliamentary Division of South Lanarkshire as defined by the "Representation of the People (Scotland) Act," 1868, Schedule B.
‡ The Crinan Canal will be the boundary between North and South Argyll (Mainland).

Number of District.	COUNTY OR DISTRICT.	Popu- Lation (1871).	H. M. INSPECTORS AND INSPECTORS' ASSISTANTS.	Head-quarters.
8	Perth Kinross . Clackmannan	127,741 7,208 23,742 158,691	A. Walker, £sq	Viewbank, Craigie, Perth, N.B.
9	Fife Linlithgow .	160,310 41,191 201,501	Dr Cumming . Mr T. Smith .	27 Windsor Street, Edin., N.B. 3 Antigua Street, Edinburgh, N.B.
10	Forfar	237,528	A. Dey, Esq Mr D. Thompson	68 Castle Street, Forfar, N.B.
11	Aberdeen . Banff . Kincardine . Orkney and Shetland	244,607 62,010 34,651 62,877 404,145	J. Kerr, Esq J. Smith, Esq	4 Albyn Terrace, Aberdeen, N.B. 201 Union Street, Aberdeen, N.B. 5 Albert Terrace, Aberdeen, N.B.
12	Inverness (and Western Isles) Nairn Elgin	87,480 10,213 43,598 141,291	W. Jolly, Esq	Island Bank, Inverness, N.B.
13	Caithness Sutherland Ross and Cromarty (Lewis and Harris)	39,989 23,686 80,909 144,584	J. Macleod, Esq.	Kincardine Manse, Ardgay, Ross- ahire, N.B.



INDEX.**

Aberdeen New Grammar School deemed a higher class public school, xxxix.
52.

provisions applicable to, xl. xli. 37-40, 52.

Accommodation, school. See School accommodation.

Accountant to Board of Education, appointment of, xxix. lvii. 32.

duties of, xxix. 32.

office shall be in Edinburgh, xxix. 32.

abstract of receipts and expenditure to be prepared and reported annually, xxix. lvii. lviii. 32.

Accounts of school boards to be transmitted to accountant to Board of Education by respective treasurers, xxix. lvii. lx. 31, 32.

time to which accounts are to be made up, xxix. lx. 31.

inspection of, by Board of Education, by any school board member, or by ratepayers, xxix. lvii. 31.

printed at expense of school boards, xxix. lvii. 81.

Act (Education), progress of, through Parliament, i. short title of, 50,

interpretation of, 2.

Acts repealed by this Act, xlvi. 1, 49, 50, 134.

Administration of trusts upon which schools are held, conditions on which transference to school board may be made, xxii. li. [lvii. 23, 24.

consent to transference may be given by majority of not less than twothirds of administrators of such trusts, xxii. 24; at meeting duly summoned for that purpose, 24; persons whose consent is required need not be parties to the conveyance, 24; validity of the transference shall not be subject to challenge, unless challenge made judicially within six months of recording, 25; the transference may be effected by an ordinary disposition duly recorded, xxii. 24; no stamp or other duty required, xxii. 24.

Admission into Training Colleges, Code, p. 114.

Ages of children required to attend school, xliv. xlv. 45, 46.

Agreement, form of, between school board and pupil teacher, 120.

^{*} The Roman Numerals refer to the Summary: the Arabic Figures, to the Act and Appendix.

182

Agreement, form for cancelling engagements of pupil teachers, 121. form of, on change of managers, 121.

INDEX.

Alloa, considered a separate school district, v. 2, 51.

Annual grant, conditions of, Code, p. 103.

to Day Schools, Code, p. 104.

to Evening Schools, Code, p. 105.

to Training Colleges, Code, p. 114.

reduction of, Code, p. 107.

Annual report of proceedings by the Scotch Education Department to be laid before Parliament, xxxi. xlvi. lix. 48.

Appointment of Committee of Council on Education in Scotland by Order in Council, vii. 96.

Board of Education, viii. ix. 96.

chairman of school board, ix. xv. xlix. 15.

managers of schools by school board, xv. 16.

treasurer to school board, xv. xxviii. xlix. lii. 31.

persons to make returns on failure of school board to do so, xxi. lvi. 22. inspectors of returns, lvi. 22.

officers to make inquiry on failure of school board to report, or if report is unsatisfactory, xx. l. lvi. 20.

clerks and other officers of school board, xv. xlix. lii. 32.

returning officer for first elections, 156, 162.

Area of a parish and of a burgh defined, v. vi. 3, 7.

disputes regarding, and as to area of school districts, settled either by the Board of Education or sheriff of the county, vii. liv. 7.

Argyll, county of, special provisions in regard to annual Parliamentary grant to schools in parishes in, xxx. 23, 42.

for reduction of, 107.

for building grants, 101.

Argyll, written ballot papers may be used in parishes of, 159.

Assessment of school-rate, regulations for levying and collecting the same along with assessment for relief of the poor, xxv. li. lx. 27.

where no legal assessment for relief of poor, to be levied and collected directly in same manner as if it were poor's rate, xxv. lii. 27.

Assessments, clauses of poor-law Acts relating to assessments, 57.

Assistant Teachers, Code, p. 109, 113.

Attendance, calculation of, Code, p. 105, 128.

Audit of school board accounts by accountant of Board of Education, xxix.

Ayr Academy deemed a higher class public school, xxxix. 52. provisions applicable to, xl. xli. 37-40, 52.

Ballot, poll to be by, 159.

Ballot paper, form of, 161.

Ballot paper, written, may be used in certain counties, 159.

Bathgate considered a separate school district, v. 2, 51.

Bequests to parochial schools, rights of teachers of any existing parish school, or powers of trustees not prejudiced, xviii. 17.

Bequests, school boards may receive and administer, xxvii. 80.

wishes and intentions of the donors to be carried out, xxviii. lii. 31.

INDEX. 183

Bible and Shorter Catechism instruction, parents may elect that their children shall not receive such instruction, xlii. 2, 44.

managers of public schools shall be at liberty to continue such instruction, 2.

Blind children, provisions applicable to, 45, 46.

BOARD OF EDUCATION:-

- Definition. "The Board of Education" shall mean the Board of Education for Scotland, established by this Act, viii. liii. 2, 4. appointment as a temporary organising board, viii. 4.
- Object. Greater efficiency and convenience in the institution and organisation of schools and school boards, viii. liv. 4.
- Duration. Three years from the passing of the Act, with power to Her Majesty, by Order in Council, to extend for two years more, ix. liv. 4.
- Constitution. Five members and secretary, appointed by the Queen, one to be chairman, two to be a quorum, ix. liv. 4.
- Province. The Board and members responsible to the Scotch Education Department, ix. liv. 4.
- Duties and Powers. Submit for consideration of Department the conditions according to which, in their opinion, Parliamentary grants may be most advantageously distributed in Scotland, ix. xxx. liv. lviii. 5.
 - keep minutes of proceedings, and submit report to the Department to be laid before Parliament, xlvi. liv. 6.
 - settle disputes as to area of school centres; or, authorise school board to apply to sheriff of the county to settle such disputes, vi. vii. liv. 7.
 - order burgh with population under 3000 to be dealt with as part of the parish in which it or the greater part thereof is situated, vi. liv. 7.
 - determine number of members of school boards, x. lv. 7.
 - frame and issue rules and directions for conduct of first elections of school boards, and publish them in the 'Edinburgh Gazette,' ix. xlviii. lv. lix. 10.
 - on failure of heritors and minister, or of town-council, to take preliminary steps for first elections, require sheriff of county to do so, xi. lv.
 - order new election of member in place of those declared to be invalid if no quorum in school board; or if school board do not appoint within three weeks after declaration of invalidity, xii. xlix. lv. 12.
 - order small parish to be united to an adjacent one, vi. xiv. lv.
 - order election of school board in a burgh for which a school board had not previously been elected, xiv. lv. 13.
 - order discontinuance of burgh school board, and the inclusion of burgh in the area of parish, xiv. lv. lx. 14.
 - nominate school board after expiration of twelve months, if no school board elected, xiii. lvi. 14.
 - receive report from school boards as to school accommodation, xx. lvi. 19.
 - approve determination of school board with or without qualification, xx. lvi. 19.
 - or direct further report, xx. lvi. 19.

BOARD OF EDUCATION-continued.

or direct inquiry, xx. lvi. 19.

or direct additional accommodation to be provided, although not determined on by school board, ix. xx. lvi. 19.

send requisition to defaulting school board; and on continued default, or unsatisfactory report, cause inquiry; and give directions as to additional accommodation, and recover expenses against defaulting Board, xx. 1 lvi. 20.

in determining as to accommodation, take into account every school in parish or burgh; call on managers, &c., for documents and information; inspect schools and scholars, xix. 1. 1vi. 20.

require returns from time to time from school boards with a view to making an educational census, xxi. lvi. 21.

supply forms for returns, xxi. lvi. 21.

on failure of school board to supply returns, appoint inspectors and recover expenses from defaulting school board, xxi. xxiv. lvi. 22.

appoint inspectors of returns, lvi. 22. sanction change of site or discontinuance of public school in any parish or burgh, xxi. l. lvi. 22.

compel school boards to maintain and keep efficient schools founded by them, xxi. li. lvii. 22.

sanction transference of denominational and subscription schools, xxii. li. lvii. 23.

sanction establishment of industrial schools, xxiii. li. lvii. 26.

sanction combination of school boards, xxiii. li. lvii. 28.

give consent to school boards to borrow money, xxiv. xxvi. lii. lvii. give consent to school boards to depart from trusts administered by them, xxvii. lii. lvii. 29.

inspect accounts of school boards; order accounts to be printed at expense of school boards, xxix. lvii. 31.

appoint accountant, xxix. lvii. 32.

receive abstract of receipts and expenditure of each school board, and transmit to Department to be laid before Parliament, xxix. lvii. 32.

confirm judgment of school board as to dismissal of teachers in public schools appointed before Act, xxxii. lii. lvii. 36.

require from school boards a statement of the funds and revenues of higher class public schools, and application of the same, xxxix. lvii. 37. approve of school boards draining elementary instruction out of higher class schools, xli. lvii. 7.

determine disputes as to fees to be paid in higher class schools, xxxviii.

approve school board's determination to increase number of higher class schools, xxxix. lvii. 37, 40.

communications to, how addressed, 3.

summary of the principal provisions regarding, liii-lvii.; of principal duties in order of time, lix. lx.

return of names of members of school boards to be sent to, by returning officer, 128, 133.

Boards (school): list of parishes and burghs having separate school boards, 166.

Body corporate, school board declared to be, xv. 15.

Borrowing powers of school board for school buildings on security of school fund and rate with consent of Board of Education, xxiv. xxvi. lii. lvii. 28.

borrowing clauses of "The Commissioners Clauses Act, 1847," incorporated with this Act, 28.

Public Works Loan Commissioners may lend money, xxvi. 28.

Broughty-Ferry considered a separate school district, v. 2, 51.

Building grants, regulations regarding, viii. xxiv. lix. 41, 43-44. Code, 100, payment of, 102.

the term included in the definition of Parliamentary grant, 3.

conditions under which schools erected with Building grant aid can be alienated, 23.

applications for, to be made to the Scotch Education Department, xxiv. xxxi. liii. lx. 41.

Buildings, school, expense of repairing, enlarging, &c., xxiv. xl. 41, 42. Burgh, definition of, v. 2.

area of, vi. 2, 3, 7; disputes regarding, settled by Board of Education or Sheriff, vii. liv. 7.

every burgh (subject to exceptions) is constituted a school district, v. 6. small burghs may be united with their parishes by order of the Board of Education, vi. lix. 13; the order must be issued within six months after the passing of this Act—i.e., 6th February 1873, vi. 7.

customary contributions to burgh school from common good or other funds to be continued and paid annually to school board, xxvii. lii. 29. election of a school board, v. xlviii. 6, 9.

provisions for establishing a board in cases where such has not been previously elected, xiv. 14; burgh school board may be included in parish school board, and so cease, vi. lv. lx. 14; and be included in the area of the parish in which it is situated, and subject to school board of such parish, vi. lv. 14; time for making such alterations, xiii. lvi. 14.

may unite with a parish in certain cases, vi. lix. 7.

with population under 3000 to be dealt with as part of the parish in which it, or the greater part thereof, is situated, vi. 7.

list of small burghs which have been united by order of Board, 164.

Burgh school, definition of, xviii. 3, 17.

to be vested in and placed under the management of the school board of burgh, xvii. xlix. 3, 17.

are of two kinds—the ordinary public schools and the higher class public schools: the former will be supported by fees, rates, and Parliamentary grant; the latter will be self-supporting, xxiv. xxvii. 17, 37-40.

Burghs and parishes, list of, having separate school boards, 166.

Candidates for office of teacher, regulations to be framed by Scotch Education Department as to examinations of candidates for certificates of competency, viii. xxxv. lix. 35; Department to grant certificates of competency, viii. xxxv. lix. 35; under probation, 109; examination of, for admission into training college, 114.

Candidates for school board.

procedure for electing, xii. xlix. lv. 12; qualifications, x. xlviii. 8; disputes regarding the election to be summarily determined by Sheriff, xii. xlix. 12; expenses of elections not allowed, xxiv. 27; nomination of, in parishes, 157; in burghs, 162.

Casting vote, chairman of school board shall have, 15.

Catechism (Shorter) and Bible instruction, parents may elect that their children shall not receive such instruction, xlii. 2, 44.

managers of public schools shall be at liberty to continue such instruction, 2.

Certificated teachers. Code, 109.

Certificates of competency, only holders of such eligible for office of principal teacher in a public school, xxxiv. 34.

who shall be deemed holders of such, xxxv. 34.

examinations of teachers who are desirous to obtain, xxxv. 35.

certificates shall specify the degree of competency and the subjects to which it applies, and shall be evidence of the qualification of the holder, 35.

examination for, Code, 109; for acting teachers of public schools, 111; probation of candidates for, 109; certificates and qualification of pupil teachers at admission, and during engagement, 118-9; different classes of certificates, 110; future rating of existing certificates, 111.

Chairman of school board.

appointment of, xv. xlix. 15; rights of voting, xv. 15.

Change of site of school may be effected by school board under sanction of Board of Education, xxii. 1. lvi. 22.

Children, exemption of, from attendance at religious instruction, xlii. 2, 44; ages of such as are required to attend school, xliv. xlv. 45, 46.

Church doors, notices regarding elections in parishes to be affixed to, 157.

Circular of Board as to quoad sacra parishes, 165.

Classification, where scantioned, school rate levied in same manner as poors rate, 28.

Clergymen may be called upon by the Board of Education or school board for such information and documents as may appear necessary to enable the boards to discharge their duties under this Act, xix. 1. lvi. 20.

after the publication of the rules and directions to be issued by the Board of Education for the conduct of first elections, shall, together with the heritors, meet and fix a time and place for the election of a school board, xi. 9.

relieved from the statutory duty of superintending parish schoools, xvii.

Clerk and other officers of school board, appointment of, xv. xlix. lii. 32. inexpedient to appoint teachers as, xvi.

Close of poll, proceedings at, 160.

Code of Education (1873), analysis of, 97; resolutions of Scotch Education Department regarding, 98; annual grants to schools for children, 103; to training colleges, 114; special provisions regarding evening scholars, 116; revision of Code, 117; schedules, 118.

Colleges (training), Code, definition of, 113; grants to, 114; admission into, 114-5; examination of students in, 115.

Combination of school boards may be effected for any purpose under this Act, with sanction of Board of Education, xxiii. li. lvii. 26.

Commencement of poll, 159.

Commissioners Clauses Act, incorporated sections of, with respect to mortgages, 28, 29, 64.

Committee of Council on Education, appointment of, by Order in Council, 96. Compulsory clauses (attendance of children at school).

every parent bound to educate his children, xliv. 45.

failing to do so, without reasonable excuse, he breaks the law, xliv. 45. poverty no excuse; if unable to pay, he must apply to the parochial board, xliv. 45.

reasonable wishes of parent in selection of school respected, xliv. 45.

blind children, same provisions apply to them, xliv. 45.

defaulting parents, how dealt with, xvi. xliv. liii. 46.

may be prosecuted before the sheriff, and, on conviction, liable to fine or imprisonment, xliv. xlv. liii. 46.

employers of children shall be deemed to undertake the duty of parents, xlv. 47.

and shall be liable to the same penalties for neglect as a parent, xlv. 47. but the parent is not on this account exempt from liability, xlv. 47.

exemptions—a certificate of ability to read and write, &c., in favour of any child, exempts parents and employers from prosecutions, xlv. 47.

Conditions for the transference of existing schools to school board, xxiii. 23. Conditions of annual grant, Code, p. 103.

building grant, Code, p. 100.

Conscience clause, every public school is open to children of all denominations, xlii. 2. 44.

any child may be withdrawn from religious instruction without suffering disadvantage, xlii. 2, 44.

Consent to transference of schools may be given by majority of not less than two-thirds of the persons having administration of such, xxii. xxiii. 24.

Constitution of Board of Education, five members and secretary appointed by the Queen, one to be chairman, two to be a quorum, ix. liv. 4.

of school board (1), Number of Members. Five to fifteen, as may be determined by the Board of Education, x. xlviii. lv. 7. (2) Candidates. No qualification necessary; but teachers of public or State-aided schools not eligible, x. xlviii. 7.

of school districts, vi. xiv. l. 13.

Constitution of school districts, summary of provisions for, v.-vii.

Conveyance for transference of a school to a school board, form of, 126.

Counties, written ballot papers may be used in certain, 129; other privileges of, xxx. 23, 42.

Court of Session may summarily compel school boards who have failed to perform their duty, to comply with the requisition of the Board of Education, xxi. li. lvii. 22.

Cromarty, written ballot papers may be used in parishes of, 159.

Dalkeith considered a separate school district, v. 2, 51.

Day schools, annual grant to, Code, p. 104.

Declaration of secrecy by persons entitled to attend in polling places, 159.

Defaulting school boards, as to invalid elections, xii. xiii. xlix. lx. 12. proceedings on failure to make returns, xxl. lvi. 22.

refusal to fill up forms and admit inspectors, xix. 22.

failure to maintain and keep efficient any school provided by them, xxi. lvii. 22; or to provide such additional school accommodation as may be necessary, xxi. 1. 22.

Definition:

- "Scotch Education Department" shall mean the Lords of any Committee of the Privy Council, appointed by her Majesty, on education in Scotland, viiî. lviii. 2.
- "Board of Education" shall mean the Board of Education for Scotland established by this Act, viii. liii. 2.
- parish, v. 2; parish school, 2; burgh, v. 2; burgh school, 3; public school, 3; teacher, 3; Parliamentary grant, 2; parent, 2; Her Majesty's inspectors, 2.
- Delegation of powers of school boards under this Act to managers shall be lawful, 15.
- Denominational schools may receive Parliamentary grants, but are not considered to be public schools, 3.

denominational inspection ceases at the passing of this Act, 3, 41.

Her Majesty's inspectors may visit and inspect under certain provisions, 21. can only be transferred, not sold, to school board, xxii. li. lvii. 23, 25. procedure for transference, xxii. 25.

Normal schools not affected by this Act, 44.

Department, the. See Scotch Education Department.

Diary, school, Code, p. 108.

Dick Bequest, right of teachers to participate in, not prejudiced, xviii.

Discontinuance of change of site of any school under management of school board, xxii. l. lvi. 22.

Disputes as to the area of school districts, vii. liv. 7.

regarding the election of school boards, summarily determined by the sheriff, xii. xlix. 12.

District, general and special sense of the term, v.; preliminary procedure for election of school boards in, 158.

District school, constitution of, v. 6; every parish and every burgh is constituted a school district, v. 2, 3, 13.

election within twelve months after the passing of this Act of a school board, v. xlviii. 6; may be formed by two or more school boards detaching portion from their parishes, and uniting them into districts, vi. lv. 13; such districts are deemed parishes, vi. 13; consent of the sheriff must be given to this arrangement, vi. l. 13; dispute as to, vii. liv. 7.

Districts, school, summary of provisions for constitution of, v.-vii. list of inspectors of, 176.

Documents of the Scotch Education Department, authentication of, xlvi. 41. Dumfries Academy deemed a higher class public school, xxxix. 52.

provisions applicable to, xl. xli. 37-40, 52.

Duration of Board of Education to be three years from the passing of this
Act, with power to Her Majesty, by Order in Council, to extend for
two years more, ix. liv. 4.

Duties and powers of school boards, appoint chairman, xv. xlix. 15; other officers, xvi. xxviii. xlix. 31, 32.

supersede heritors and minister in all powers, obligations, and duties, vested in or incumbent on them in regard to parish schools, xvii. xlix. 16.

supersede town councils in all powers and duties vested in them in regard to burgh schools, vii. xlix. 17.

Duties, summary of the principal duties of the Board, Department, and school boards, in order of time, lix. lx.

Ecclesiastical superintendence over public schools abolished, and all connection between public schools and the Church severed, xvii. xlix. 16.

Edinburgh High School, deemed a higher class public school, xxxix. 52. provisions applicable to, xl. xli. 37-40, 52.

Education, national, Parliamentary efforts to establish, i.

Education Bill, account of its progress in Parliament, i.

Education Act, general scope and leading principles of, ii. iii.

Education, Order in Council appointing the Committee of Council on, 96. appointment of Board of Education, 96; of Scotch Education Department, vii.

Education Department, Scotch, appointment of, vii.; numbers of, vii. viii. defined to mean the Lords of any Committee of Privy Council appointed by Her Majesty on Education in Scotland, vii.

Education compulsory-

School boards to put in force the clauses enforcing, xvi. xlv. liii. 46.

to appoint officer to report on parents who neglect to educate the children, xvi. xliv. liii. 46.

keep list of defaulters; summon and examine defaulters; if no reasonable excuse, certify to Procurator-Fiscal of district; pay expenses out of school fund, xxiv. xlv. liii. 46.

See also Compulsory clauses.

Education Code (1873), 97.

Educational requirements, the first duty of every school board to ascertain, xix. 7, 18.

ELECTIONS OF SCHOOL BOARDS:-

First election.

election of school board within twelve months after the passing of this Act, v. xlviii. 6, 7.

rules and directions for conducting, to be framed and issued by Board of Education, and published in the 'Edinburgh Gazette' within six months, xi. lv. 7.

number of members, x. xlviii. lv. 7; each school board must consist of not less than five, and not more than fifteen members, x. xlviii. 8.

candidates, x. 8; any one not being a teacher in a public school is eligible as a member, x. xlviii. 10; no qualification as to age, sex, residence, or ownership requisite, and same person may be elected member of two or more boards, x. xlviii. 8.

ELECTIONS OF SCHOOL BOARDS—continued.

electors, qualifications of, x. xlviii. 8.

- elections conducted in accordance with rules issued by the Board of Education, xi. lv. 10.
- elections, first, rules for, in parishes, 156; in burghs, 162; time for, in parishes, 156; in burghs, 162.
- election, majority of votes, in case of equality returning officer to determine, and dispute to be settled by sheriff summarily, xii. xlix. 12.
- notice of election to be sent to person elected by returning officer; also time and place of first meeting, not later than fourteen days after election. xii. xlix. 13.
- on failure of heritors and minister, or of town council, to take preliminary steps for election, the Board of Education may require sheriff of county to do so within nine months, xi. xlviii. lv. lx. 7.
- election of school board in a burgh for which a school board had not previously been elected, may be ordered by Board of Education after three years, xiv. lv. lx. 14.
- invalid elections. If quorum exist—i.e., if three members duly elected—school board shall appoint in place of those declared invalid. If no quorum, or if school board fails for three weeks to appoint, Board may order new election of as many members as may be necessary, xii. xlix. lv. 12.
- election of successors; school board to take steps necessary for, or as directed by Scotch Education Department, xiii. liii. lviii. lx. 11. list of parishes in which election failed, 175.

Election subsequent to first.

- Scotch Education Department to appoint time (after three years) for election of school board, subsequent to the *first*, having regard to the circumstances of the localities, xiii. xiv. liii. lviii. lx. 10, 11; general rules for election of members, 51.
- in default of election of school board subsequent to the first taking place, the Scotch Education Department may order an election, lviii. 5; or allow existing school board to continue in office, lviii. 5; or nominate a school board, lviii. 5.
- Electors of school boards, general qualifications of, x. 8, 51; to comprise owners and occupiers of lands of £4 and upwards, annual value, entered in latest valuation roll, x. xlix. 8, 51.
- Elementary instruction, higher class schools relieved of giving, as far as practicable, xxxvii. 39.
- Elgin Academy deemed a higher class public school, xxxix. 52; provisions applicable to, xl. xli. 37, 40, 52.
- Employers of children under the age of thirteen shall be deemed to undertake the duty of a parent, and liable to same extent, xliv. 47; exceptions, xlv. 47.
- Establishment of school boards within twelve months after passing of Act, i.e. before August 1873, a school board shall be established in every parish and burgh, v. xlviii. 6.
 - evening schools, xxiii. li. 26.
 - infant schools, xxiii. li. 26.
 - industrial schools, xxiii. li. lvii. 26.
- Evening scholars, Code, 116.

Evening schools, establishment and maintenance of, for instruction of scholars above thirteen years of age, xxiii. li. 26; schoolroom vested in school board may be used, xxiii. 26; or rooms suitable for the purpose may be hired, xxiii. 26; such to be deemed public schools, xxiii. 26; annual grant to, Code, 105; special provisions for, 116.

Evidence of orders, &c., of the Scotch Education Department, xlvi. 41.

Examination of schools by Her Majesty's inspectors of schools, xix. 21.

of higher class schools, xxxviii. 39-41; expenses incident to, xxxix. 39.

Examination of teachers, xxxv. 35.

candidates for certificate of competency shall be examined according to regulations issued by the Scotch Education Department, xxxv. 35. university degrees may come in place of examination, xxxv. 35.

Examination for certificates, Code, p. 109.

syllabus of subjects of, Code, p. 118-9.

standards of, Code, p. 106.

specific subjects of, Code, p. 122.

of candidates for admission into training college, 114.

of students in training college, 115.

Exemptions from attending school, xlv. 47.

Existing schools may be taken into account by Board of Education and school board, in considering and determining school accommodation, xx. l. 20. transference of, to school board, xxii. li. lvii. 23; consent to transference necessary, xxii. li. lvii. 24.

Expenses of Scotch Education Department, how fixed and defrayed, 3.

of school board, including those incident to the election thereof (but not including the expenses of any member or candidate), shall be paid out of school fund, xxiv. 10, 27, 52.

of higher class shall not be paid out of school fund, except the expense of annual examinations, and of repairing, enlarging, &c., the school building, xl. 41.

of members or candidates of school board, not to be paid out of school fund, xxiv. 27.

Fees paid in all public schools (not higher class schools), under the management of school boards, to be fixed by the school boards, xxiv. xxvii. lii. 32, 33; and collected by the treasurer, xxviii. 33; and paid into the school fund, xxviii. 33.

in higher class schools, are fixed by the teachers in the schools, with the approval of the school boards, xxxviii. 33.

Females, if otherwise qualified, may vote as well as males, x.

FINANCE AND PARLIAMENTARY GRANTS.

Fund (school) to be established in every parish, and treasurer appointed, xxiv. xxviii. li. 31.

revenue, the various sources of, xxiv. xxix. liii. lx. 22, 28, 32, 41, 46, 49. expenditure, chief items of outlay, xxiv. xxxv. xlv. 18, 23, 27, 32, 34, 39, 47.

rates, school, power of school boards to impose, and mode of levying xxv. xxvi. li. 27.

borrowing power of school board, xxiv. xxvi. lii. 28.

fees, school, how fixed, paid, and accounted for, xxiv. xxvi. liii. 32, 39.

192

FINANCE AND PARLIAMENTARY GRANTS-continued.

funds, certain other, over which the school board have power of administration, xxvii. lii. 29.

bequests, existing, how vested and administered, xxvii. 29.

bequests, future, power given to school boards to receive, xxviii. 30.

treasurer, appointment and remuneration of, xxviii. 81, 82; duties of, xxviii. 81.

accounts to be transmitted by treasurer annually to accountant of the Board of Education, xxviii. lvii. lx. 31, 32.

inspection of, by ratepayers, &c., permitted, xxix. lvii. 31.

time for transmission of first accounts by treasurer, xxix. 31.

accountant, his duties, xxix. 32; his office shall be in Edinburgh, xxix. 32. grant, Parliamentary, the provisions of, xxix. 5, 41.

receive bequests for education, and administer them according to wishes of donor, xxviii. lii. 30.

abstract of receipts and expenditure to be received from every school board by the Board of Education, and transmitted to the Scotch Education Department, xxix. lvii. lviii. 32; to be laid before Parliament, xxix. lvii. lviii. 32.

Form of a conveyance for transference of a school to a school board, 126.

Forms required for the purpose of obtaining returns, shall be supplied to the school boards by the Board of Education, xxi. 22.

Form of Agreement between school board and pupil teacher, Code, p. 120.

Free Church schools may be transferred to school boards, xxii. li. lvii. 24, 25; not by purchase, but only as a gift, 25.

procedure for transference, xxii. 25.

Funds and revenues of higher class schools, 38; sources and administration of, xxxvii. 38; Board of Education may require a statement of the funds, &c., and application of the same, xxxix. lvii. 37.

Funds of school boards established, xxiv. li. 27.

funds for behoof of public schools to be transferred to school boards, xxvii. lii. 29, 30.

school boards to receive and administer unexpended proceeds of parish school assessment, for the year after the passing of this Act, xxiv. liii. 49. receive money payable to Parliamentary schoolmasters, xxiv. xxxiv. liii. 49. receive and administer income of property, &c., vested in heritors and kirk-sessions, or others, for promotion of education, according to the trusts, xxvii. lii. 29.

may depart from trusts, with consent of the Board of Education, xxviii.

receive at Martinmas town council's subscription from common good for burgh school, and administer it for purpose of promoting higher instruction, xxvii. lii. 29.

Gifts of property or funds for behoof of schools may be received and administered by school board, xxviii. lii. 30.

Girls' schools. See Heritors' girls' schools.

Girvan considered a separate school district, v. 2, 51.

Glasgow High School deemed a higher class public school, xxxix. 52. provisions applicable to, xl. xli. 37, 40, 52.

Graduates in arts and science, Code, 109; of Scotch Universities, 111.

Grants to schools; the Board of Education to submit for consideration of the Scotch Education Department the conditions according to which, in their opinion, Parliamentary grants may be advantageously distributed, ix. xxx. liv. 5; Scotch Education Department to determine from time to time the rates and conditions according to which Parliamentary grants may be given, and frame and issue the minutes containing the rates and conditions, viii. xxx. lviii. 5, 41; prepare code for distribution of Parliamentary grant, viii. lix. 41; grants will be made under the Code of 1860 as heretofore, until the new Scotch Code is issued, 43; cases in which extra grants will be paid, xxx. 43; to day schools, Code, 104; to evening schools, Code, 105; to training schools, Code; reduction of, Code, 107; for building, Code, 100; payment of, 102.

Grants for building; regulations regarding, viii. xxiv. lix. 41, 43, 44; applications for, xxiv. xxxi. liii. lx. 41; building grant included in the definition of Parliamentary grant, 3.

Guardian included in the term "parent," 2.

Haddington burgh school deemed a higher class public school, xxxix. 52. provisions applicable to, xl.-xli. 37-40, 52.

Her Majesty's inspectors; the term defined, 2; by whom nominated, 3; every public school must be open at all times to them, xlii. 41; list of, 178.

Heritors, after the publication of the rules and directions to be issued by the Board of Education for the conduct of first elections, shall meet and fix a time and place for the election of a school board, xi. lv. 9.

parochial and other schools transferred from heritors and vested in school boards, xvii. xlix. 16, 17; relieved of all parochial burdens for the support of these schools, though liable as ratepayers, xvii. 17.

property or money vested in heritors for behoof of public schools to be transferred to school boards, xxvii. lii. 29.

heritors cease to have power to send poor children to parish schools without fees, xvii. 17.

Heritors' girls' schools included in the definition perish school, xvii. 3; become vested in school boards, xvii. 16, 17; may be discontinued, changed, or sold, xxii. li. lvii. 23.

Higher class public schools; what they are defined to be, xxxvii. 37; will be self-supporting, xl. 17, 37-40; provisions regarding them, xxxvii.xlii. 37-41.

management vested exclusively in the school boards of their respective burghs, xxxvii. 37.

funds, what they consist of, xxxvii. 38.

how administered, xxxviii. 40.

fees, how fixed, accounted for, and distributed, xxxviii. lvii. 32, 39.

expenses of examining the schools paid out of the school fund, xxxviii. 39. houses shall be deemed school-houses within the meaning of the 45th section of this Act, xxxviii. 39.

teachers not to be examined like those of the elementary schools, xxxviii.

examinations regulated and standard of qualification fixed by the school boards, xxxviii. 38.

any teacher, who is a member of council of a Scotch university, is to be deemed qualified as a teacher in these schools, xxxviii. 38.

examiners of teachers, their qualifications, xxxviii. 38.

examinations to be made annually by examiners appointed by the school board, xxxviii. 38.

expenses of these examinations may be paid out of school fund, xxxix. 39, 40.

funds and revenues, a statement of, may be required by the Board of Education, xxxix. 38.

names of the higher class schools fixed by Act, xxxix. 52.

new higher class schools in burghs and parishes may be formed under certain conditions, xxxix. 40.

Highland schools, 131.

Highland counties, special annual and Building grants to be given to certain, xxx. 42-44.

Hours of polling in parishes, 158, in burghs, 168.

in England, 158, 168.

Houses for teachers, how maintained, xxxiv. 33; school boards may provide (discretionary), xxxiv. lii. 33; conditions for parliamentary grant for, Code, 101.

Illiterate voters, no provision to assist in recording their votes in parishes and school districts, xii. 160, 163.

Incorporation of school boards, xv. 15.

Incorporation of certain clauses of the Lands Clauses Consolidation (Scotland)

Act, 1845, 23, 53.

Commissioners' Clauses Act, 1847, 29, 64.

Industrial Schools Act, 70.

Poor law Acts (assessments), 57.

Industrial schools, the Board of Education may sanction the establishment of, xxiii. li. lvii. 26; school boards shall for that purpose have the same power as they have for promoting public school accommodation, 26; school boards, so far as regards any industrial school, shall be subject to the jurisdiction of one of the Secretaries of State, xxiii. 26; such schools subject to the provisions of the Industrial Schools (1866) Act, xxiii. 26; no power is given to school boards to contribute money to an industrial school, 26.

Industrial Schools Act, the provisions of, applicable to industrial schools established by school boards, 26.

the Act of Parliament, 70.

Infant schools, establishment and maintenance of, for instruction of children under seven years of age, xxiii. li. 26; school-rooms vested in school board may be used, xxiii. 26; school boards may build, purchase, or take on lease, such premises as may be necessary for the accommodation of such infant schools, xxiii. 26; such to be deemed public schools, xxiii. 26.

Inquiry may be ordered by the Board of Education on failure of school board to transmit a report, or report considered unsatisfactory, as to school accommodation, xx. lvi. 20; expense of such inquiry shall be defrayed by the defaulting school board, xx. l. lvi. 20.

Inquiry as to new denominational schools by Scotch Education Department, xxxi. lix. 41.

Inspection of schools, every public school must be open at all times to any H. M. inspector, xlii. 41.

inspectors not required to examine in religious knowledge, xlii. 41. nature of the changes under which future inspections will be conducted, xlii. 36.

no school subject to inspection can be inspected except by one of H.M. inspectors, xix. 20.

"subject to inspection," meaning of, 2.

supplementary rules to facilitate, Code, 124-5.

Inspectors, Her Majesty's, the term defined, 2; by whom nominated, 3; every public school must be open at all times to any H. M. inspector, xlii. 41; reports by inspectors, Code, 110; Minute, 112.

Inspectors. List of H.M. Inspectors, with districts assigned to them, 176. Inspectors and managers reports, Code, 111.

Inspectors of returns, appointment of, by the Board of Education, and their duties, xxi. lvi. 22.

Instruction, religious, parents may elect that their children shall not receive, xlii. 2, 44; time to be devoted to, 128.

secular, table of specific subjects of, Code, 122-3; minute, 128; distribution of time devoted to, 128.

managers of public schools shall be at liberty to continue such, xlii. 2, 44. time at which such may be given, xliii. 44.

H.M. inspectors shall not inquire into, xlii. 41.

Parliamentary grants shall not be made in respect of, xxx. 41.

Instructions to returning officers, 156-163.

Invalid elections; if quorum exist—i.e., if three members duly elected—school board shall appoint in place of these declared invalid. If no quorum, or if school board fails for three weeks to appoint, Board may order new election of as many members as may be necessary, xii. xlix. lv. 12.

Inverness, county of, special provisions in regard to annual Parliamentary grant to schools in parishes in, xxx. 23, 42; reduction of grant, Code, 107; special provisions for building grants, 101.

Inverness, written ballot papers may be used in parishes of, 159.

Kilsyth, considered a separate school district, v. 2, 51,

Kirkintilloch, considered a separate school district, v. 2, 51.

Kirk-sessions, property or money vested in, for behoof of public schools, to be transferred to school boards, xxvii. lii. 29.

Labour, conditions for allowing children under the age of thirteen to be employed in, xlv 47.

Land for sites for schools, purchase of, by school board, xxii. 23.

sale of lands and buildings connected with any school discontinued or site changed, xxii. 22.

Lands Clauses Consolidation (Scotland) Act, 1845. The clauses incorporated with this Act, 23, 53.

Lands or heritages, what the expression includes, 8, 9.

Loans to school board for school buildings, on security of school fund and rate, with consent of Board of Education, xxiv. xxvi. lii. lvii. 28.

borrowing clauses of "the Commissioners Clauses Act, 1847," incorporated with this Act, xxvi. 28, 64.

Public Works Loan Commissioners may lend money, xxvi. 28.

Log Book, Code, 108.

Magistrates of burghs or town councils, funds for behoof of public schools, vested in, to be transferred to school board, xxvii. lii. 29.

shall pay to the school board, at the term of Martinmas yearly, such sum as it has been the custom to contribute to the burgh school out of the common good of the burgh, or from other funds under their charge, xxvii. lii. 29.

burgh schools transferred from, and vested in school board, xvii. 17. Maintenance of schools by school boards, &c., xxi. 1. lvii. 22, 42-44.

MANAGEMENT:-

Management of public schools vested in school board, vii. xviii. 1. 18. Scotch Education Department, appointment of, vii.; definition of the term, vii.; chief duties of, viii. 5, 41; members of, viii.; short title, "The Department," viii.

Board of Education, appointment of, vii. 6; term of office, ix. 6; chief duties, ix. 5; members of, ix. 4; office of the Board in Edinburgh, ix. 4; meetings, when held, ix. 5; short title, "The Board," x.

Elections (first) of school boards, x.; how conducted, x. 7, 156-163.

Number of members, how determined, x. 7, 164.

Candidates, their qualification, x. 7.

Electors, their qualification, x. xlviii. 8.

Conduct of elections to be in accordance with rules issued by the Board of Education, xi. xlviii. 10.

Authorities to conduct elections, who are the constituted authorities to initiate the first elections, xi. 9, 156, 162; time and place to meet for such purpose, xi. 9, 156, 162; notice of elections to be transmitted to the Board of Education, xi. 9, 158, 163; and on failure, the sheriff to perform the duty, xi. 9.

Voting, rules for, xii. xlviii. 7, 159.

Determination of questions as to elections, as to, xii. 12; candidates having majority of votes are to be elected, xii. 12; in case of equality the returning officer to decide, xii. 12; disputes regarding elections, to be determined by the sheriff, xii. 12.

First meeting of school board, xii. 13; time and place of first meeting to be announced at the time of declaring the election by the returning officer, xii. 13; notices to attend first meeting to be sent to each member, xii. 13.

Invalid elections, xii. xlix. lv. 12; procedure in case of invalid elections, xii. xlix. lv. 12.

Vacancies in school boards, how supplied, xiii. 11.

Nomination of school boards by Board of Education in any district without a school board at the end of one year, from passing of this Act, xiii. lvi. lx. 14.

Elections subsequent to the first, conducted in accordance with rules issued by the Scotch Education Department, xiii. 11; school board will remain in office for three years, xiii. 11, 51.

Failure to elect a school board, the Department may order an election, &c., xiv. 11.

Power to alter school districts may be exercised by the Board of Education, xiv. l. lv. 13.

197

MANAGEMENT-continued.

Time for making this alteration, xv. 14.

School boards declared to be bodies corporate, xv. 15.

Duties to be performed at *first* meetings, xv. 15; to appoint a chairman, treasurer, and clerk, xvi. 15.

Two school boards may appoint the same officers, or may employ the same treasurer, xvi. 32.

Officer to report as to defaulting parents, xvi. 46.

Managers, appointment of, and duties, xvi. 15.

Quorum, three members of a school board shall be a quorum, xvi. 12, 15. Managers of school boards, their number and duties, xvi. 15, 16, 20.

two or more school boards may elect the same manager, xvi. 16.

managers or principal teacher of every school required to be included in any return, shall fill up the form supplied by the Board of Education, and transmit the same to the school board within the time specified, xix. 22.

Parliamentary grants may be made to managers of schools on certain conditions, xxx. 41.

School boards may commit the management of any school under their charge, and may delegate any of their powers, except that of raising money, to managers, 8, 15.

Managers and inspectors reports, Code, 111.

Managers, form of agreement on change of, Code, 121.

Managers, old, of schools, the limits of the duties of, xviii. 50.

Meeting, first, of the Board of Education, third Friday in October 1872, lviii. 5. Members of school boards, the Board of Education to determine the number of, x. lv. 7.

Members of Council of a Scotch University though not graduates may receive certificate, minute, 130.

Milne bequest, the powers of the trustees are preserved, xlvi. 50. rights of teachers to participate in, not prejudiced, xviii. 18.

Ministers, after the publication of the rules and directions to be issued by the Board of Education for the conduct of first elections, shall, together with the heritors, meet and fix a time and place for the election of a school board, xi. 9, 156.

may be called upon by the Board of Education or school board for such information and documents as may appear necessary to enable the boards to discharge their duties under this Act, xix. l. lvi. 20.

relieved from the statutory duty of superintending parish schools, xvii. xlix. 17.

Minute of Scotch Education Department, 24th June 1873, modifying 66th article of Code, 1873, as to status of teachers, 130.

Minutes of proceedings to be kept by the Board of Education, xlvi. liv. 6. of Scotch Education Department as to approval of time tables, 126-8.

Money, regulating powers of school boards for raising, xxvi. lii. lvii. 2, 8.

Montrose Academy, deemed a higher class public school, xxxix. 52. provisions applicable to, xl. xli. 37-40, 52.

Mortgages: the clauses of "The Commissioners Clauses Act, 1847," with respect to mortgages, shall be incorporated with this Act, 29. clauses of the Act, 64.

Nomination of school board by Board of Education after expiry of twelve months, if no school board elected, xiii. lvi. lx. 6, 14.

by the Scotch Education Department in cases where failure has occurred,

Nomination of candidates for school boards, 157, 162.

validity of, to be determined by returning officer, 157, 162.

Normal Schools, though subject to inspection, and in receipt of public money, are not subject to the time-table conscience clause, and not affected by this Act, 44.

Notice of election to a school board to be sent by the returning officer, xii. 13. Notice of names, &c., of candidates for school boards to be affixed to church doors, &c., in parishes, 157.

to be advertised in local newspapers in burghs, 168.

Officers, appointment of, to make inquiry on failure of school board to report, or if report is unsatisfactory, xix. l. lvi. 20.

of clerks and other officers of school board, xv. xxviii. xlix. lii. 32.

Order in Council appointing the Committee of Council on Education in Scotland, 96.

Order within polling places, 160.

Orkney, special provisions in regard to annual Parliamentary grant to schools in parishes in, xxx. 23, 42; reduction of grant, Code, 107; provisions for building grant, 101.

Orkney, written ballot papers may be used in parishes of, 159.

Paisley Grammar School and Academy, deemed a higher class public school, xxxix. 52.

provisions applicable to, xl. xli. 37-40, 52.

Parent, the term shall include guardian and any person who is liable to maintain, or has the actual custody of, the child, 2, 3.

Parents to provide elementary education for their children, xliv. 45.

when unable to pay fees, to apply to parochial board, xliv. 45.

defaulting parents may be proceeded against by the procurator-fiscal on a certificate from the Board, xliv. 46.

parents not exempt from liability though children may be employed at labour, and the employers of same deemed to undertake the duty of parent as regards education, xlv. 47.

exemptions stated, xlv. 48.

may withdraw their children from instruction in religious subjects and from any religious observance in school, xlii. 2, 44.

Parish, definition of the term, v. 2.

area of, defined, v. vi. 2, 3, 7.

disputes regarding, settled by Board of Education or sheriff, vii. liv. 7. may include a burgh or part of a burgh, vi. 7.

small parish may be united to an adjacent one by order of the Board of Education, vi. 13.

every parish (subject to exception) to be constituted a school district, v. 7. to elect school board within twelve months, v. 6.

Parish school, definition of, xvii. 2, 3.

to be vested in the school board of respective district, avii. xlix 16, 17.

Parishes, united quoad omnia or quoad sacra, deemed one parish, vi. 7. burghs may, in certain cases, be united with, vi. 7. circular of Board regarding quoad sacra, 165.

small parishes may be added to adjacent parishes, vi. xiv. lv. 13. small parishes, note on amalgamation of, with adjacent parishes, 168. list of, in which elections failed, 175.

Parishes and burghs, list of, having separate school boards, 166.

Parliamentary grant, the term defined, 2; conditions by which they may be made, ix.xxx. liv. lviii. 5, 41-44; Scotch Education Department to frame and revise minutes as to distribution of, viii. xxx. lviii. 5, 41-44. building grant is included in this definition, 3. building grant, Code, 100.

Parliamentary legislation on education, i.

Parliamentary schools are included in the definition "parish school," 3, xvii.; become vested in school boards, xvii. 16, 17; may be discontinued, changed, or sold, xxii. 23; salaries payable to teachers of, xxxii. xxxiv. 34, 49.

Parliamentary certificate does not entitle holder to privileges of a certificated teacher, 34.

Parochial boards to add under the name of "school-rate," and levy and collect the same along with the assessment for relief of the poor, xxv. xxvi. li. lii. lx. 27.

provisions for the imposition, collection, and recovery of, xxv. xxvi. 27. to pay out of the poor fund the charges for educating the children of poor parents, xliv. 45.

Perth Academy deemed a higher class public school, xxxix. 52. provisions applicable to, xl. xli. 37-40, 52.

Plans of schools, Code, 102.

Poll, preparations for taking the, 159.

commencement of, 159.

to be taken by ballot, as prescribed by schedule A. in parishes, 157. as directed by Ballot Act in burghs, 163.

Polling places, number to be fixed by returning officer, 156, 162. no public-house to be used as polling place, 156, 162.

Polling, hours of, in parishes, 158.

Poor's assessment, the laws regulating the imposition, collection, and recovery of, shall be applicable to the school-rate, xxv. xxvi. 27; clauses of poor law Acts relating to assessments, 57.

Powers of school boards. See School boards-duties and powers.

Preliminary procedure in case of election of school board for united parishes, 128. for quoad sacra parishes, 158.

for school districts, 158.

Presbyteries relieved from the statutory duty of superintending parish schools, xvii. 17.

Private adventure schools, 21.

Private schools can be sold and bought or leased, xxii. l. 23.

Probation of candidates for certificates, Code, 109.

"Promoters of the undertaking," the expression, in the Lands Clauses
Consolidation Act, shall, for the purposes of this enactment, mean
the school board of any parish or burgh, 23.

Proprietary schools, 21; can be sold and bought or leased, xxii. 1. 23.

Prosecution of defaulting parents shall be in the form prescribed by the 'Summary Procedure (Scotland) Act, 1864,' and the judgment of the sheriff thereon shall be final, xliv. 47.

Province of Board of Education; the board and members responsible to the Scotch Education Department, ix. liv. 4.

Proxy. No provision for proxy voting either at elections or by members of school boards, xi. 15.

Public officers may be called upon by the Board of Education and school boards for such information and for access to and delivery of all such documents as shall appear to be necessary to these boards respectively to discharge their duties under this Act, xix. 1. lvi. 20.

Public school defined to mean any parish or burgh school, or any school under the management of a school board, vii. 3.

Public schools, management of, vested in the school boards of the district, vii. xviii. l. 18.

supply of public school accommodation, xviii. xix. 1. 17, 18.

fees fixed by school board, xxvi, lii. 32, 33.

funds for behoof of public schools to be transferred to school boards, xxvii. lii. 29, 30.

free from all control, as regards management, of the Privy Council, vii. building grants, Code, 100. Payment of, 102.

Public Works Loan Commissioners may lend money to school boards on security of the school fund and school-rate, xxvi. 28.

Pupil Teachers, Code, 109; conditions of employment, 112; qualification and certificate at admission and during engagement, 118-9; who have completed their engagement, 113; form of agreement between school board and, 120; forms for cancelling engagements ef, 121.

Purchase of land or buildings by school boards, xxii. li. 23.

the clauses of the 'Lands Clauses Consolidation (Scotland) Act, 1845,' with respect to the purchase of lands by agreement, shall be incorporated with this Act, xxii. 23; clauses of the Act, 53. expenses incurred shall be paid out of the school fund, 23.

Qualification and certificates of pupil teachers at admission and during engagement, 118-9.

Qualifications of electors of school boards, x. 8, 51.

of teachers in public schools, xxxv. 34.

of teachers in higher class public schools, xxxviii. 38.

Qualified teachers, who are considered such, xxxiv. xxxv. 34.

Queen's scholars, definition of, Code, 115; admission of candidates in training college, 115; attendance in training college, 115.

Quoad Sacra parishes, § 10, v. 7.

explanatory note concerning, 7.
preliminary procedure in case of, 158.
circular of Board regarding, 165.
entitled to separate school boards, 166.
Quorum of members of school board, xvi. 12, 15.

Rates, school, — in ordinary cases the school board certifies to parochial board of parish or burgh annually (before 12th June) amount of

deficiency in school fund to be supplied by "school-rate," and receive amount from parochial board, xxv. xxvi. li. lii. lx. 27; where school district includes two or more parishes with separate parochial boards, the school board certifies to each parochial board in the district the amount on each £1 rental which the parochial board shall collect as school-rate, li. xxv. 27; clauses of poor law Acts, 57.

Reduction of grant, Code, 107.

Registrar of parish or district shall perform certain duties formerly imposed upon the schoolmaster of a parish, xxxvi. 48.

Religious instruction in public schools, managers of schools at liberty to continue, xlii. 2, 44; time to be devoted for, 128.

time at which such may be given, xliii. 44.

parents may withdraw their children from, xlii. 2, 44.

H.M. Inspectors shall not inquire into, xlii. 41.

Parliamentary grants shall not be made in respect of, xxxi. 41.

Removal of teachers for immorality, incompetency, or other causes, xxxii. lii. lvii. 36.

Repeal of Acts at variance with this Act, xlvi. 1, 49, 50, 134.

REPORTS:-

school boards to report and make returns to the Board of Education, xlvi. liii. 48.

Board of Education to submit annually a report of their proceedings to the Scotch Education Department to be laid before Parliament, xlvi. 6. Scotch Education Department will cause every year a report of their proceedings to be laid before Parliament, xlvi. lix. 48.

of managers and inspectors, Code, 117.

Resolutions of Scotch Education Department regarding Code, 98.

Retiring allowances to teachers of public schools, xxxv. liii. 37.

RETURNS :--

Board of Education shall require returns from time to time from school boards with a view to making an educational census, xxi. lvi. 21. shall supply forms for returns, xxi. lvi. 21.

shall, on failure of school board to supply returns, appoint inspectors and recover expenses from defaulting school board, xxi. xxiv. Ivi. 22, 156, 163.

Returning officers at first elections, by whom appointed, xii. 12, 156, 162; duties, xii. 13, 156-163; in England the mayor or a deputy appointed under his hand in burghs: in parishes the clerk of the union, 12.

at subsequent elections, the chairman of the board is returning officer, 12. 51.

inexpedient, and, perhaps, incompetent, to be a candidate, or to vote at an election, x. 12.

Revenue and expenditure of school boards, xxiv. 27, 41-44. Revision of Code, Code, 117.

Ross, county of, special provisions in regard to annual Parliamentary grant to schools in parishes in, xxx. 23, 42.

written ballot papers may be used in parishes of, 159.

reduction of grant, Code, 107; provisions for building grant, 101.

Rules, supplementary, to facilitate inspection, Code, 124-5.

- Rules and directions for conduct of *first* elections of school boards, the Board of Education shall frame and publish in the 'Edinburgh Gazette' within six months of passing of this Act, xi. xlviii. lix. 7. for elections subsequent to first, 51.
- Rules and directions for the conduct of the first election of school boards in parishes and school districts, 156. in burghs, 162.
- Salaries of Scotch Education Department, officers and servants, 3.

 Board of Education members and secretary, ix. 4.

 school board treasurer, clerks, and other officers, xxiv. xxxviii. 31, 32.

 teachers, xxiv. xxxiv. xxxviii. 34.
- Sale of land and buildings connected with any school discontinued, or the site of which is changed, xxii. xxiv. li. 22.

SCHEDULES :--

- A., schedule of towns considered separate school districts, 51.
- B., general rules respecting election of members of a school board subsequent to the *first* election, 51.
- C., number of burgh schools deemed higher-class public schools, 52. Schedules of Code:
 - 1. Qualifications, &c., of pupil teachers, 118-9
 - 2. Form of agreement between school board and pupil teacher, 120.
 - 3. --- new agreement on change of managers, 121.
 - 4. Table of specific subjects of secular instruction, 122-3.
 - 5. Supplementary Rules to facilitate inspection, 124-5.
- Scholars, Queen's, definition of, Code, 115; admission of candidates in training college, 113; attendance of, in training college, 115.
 Evening, Code, 116.
- School accommodation, supply of. Parish and burgh schools vested in school boards, xvii xlix, 16, 17.
 - parish school, definition of, xvii. 2, 3; to include parochial, side, parliamentary, heritors' girls' schools, and schools established by or transferred to a parish school board, xvii. 16.
 - burgh school, definition of, xviii. 8, 17; includes every public school in a burgh, xviii. 17.
 - public schools, certain parish and burgh schools declared to be public schools, xviii. 17; are vested in and under the management of the school boards of their respective districts, xviii. 18.
 - school boards to make an educational census in their respective school districts so as to provide efficient education and sufficient accommodation in public schools, xviii. 1. 18.
 - power to carry out census, procure information, and inspect schools, xix. 1. lvi. 20.
 - in case of refusal to give information or allow inspection, xix. 1. 22.
 - school boards to report their determination as to school accommodation to the Board of Education, xix. l. lx. 18; these reports must be transmitted within nine months after the election of school board, xx. l. lx. 18. Board of Education will deal with the report, xx. l. 19.
 - school board will carry out their determination or the order of the Board, xx, 1, 19.

- Board of Education may order inquiry at expense of school board if report is unsatisfactory, xx. l. lvi. 20.
- existing schools to be taken into account when considering educational requirements, xx. 1. lvi. 20.
- returns may be required from time to time from any school board, xxi. lvi. 21; forms for such returns will be supplied, xxi. lvi. 21; onfailure of duty, the Board of Education may appoint a person to make the return at the expense of the school board, xxi. xxiv. lvi. 22.

maintenance of schools by school boards, xxi. li. lvii. 22.

- school boards compelled summarily by the Court of Session to perform duty, xxi. li. lvii. 22.
- school boards may sell any of their schools, discontinue or change the site, with sanction of the Board of Education, xxi. xxii. li. 22.

proceedings for providing schools, xxii. li. 23.

- transference of schools, conditions for effecting, xvii. xxii. xxiii. li. 16, 17, 23, 24.
- infant and evening schools, power given to school boards to establish, xxiii. li. 26.

both classes of schools are public schools, xxiii. 26.

- industrial schools may, with consent of the Board of Education, be established, xxiii. li. lvii. 26.
 - these schools subject to the provisions of the Industrial Schools Act, 1866, and not to this Act, xxiii. 26.
- combination of school boards, xxiii. li. lvii. 26.

SCHOOL BOARDS:-

- Establishment. Within twelve months after passing of Act—i. e., before August 6, 1873—a school board shall be established in every parish and burgh, v. xlviii. 6, 155.
- Rules and Directions for conduct of Elections. The board shall frame and publish in the 'Edinburgh Gazette' the rules for the conduct of first elections within six months of passing of Act, x. xlviii. 7, 155; for elections subsequent to the first, 51.
- Constitution. Number of Members. Five to fifteen as may be determined by the Board, x. xliii. 7. Scale of Board regulating, 164.
 - Candidates. No qualification necessary, but teachers of public or Stateaided schools not eligible, x. xlviii. 8.
 - Electors. Owners and occupiers of lands, &c., of £4 and upwards annual value, entered in latest valuation roll, x. xlix. 8, 51.
 - Voting. Cumulative vote, xii. 7, 10. Rules of Board for, 159.
 - Election. Majority of votes—in case of equality returning officer to determine: any dispute to be settled by sheriff summarily, xii. xlix. 12.
 - Notice of Election. To be sent to person elected by returning officer; also time and place of first meeting, not later than fourteen days after election, xii. xlix. 13.
 - Invalid Elections. If quorum exist—i. e., if three members duly elected—school board shall appoint in place of those declared invalid. If no quorum, or if school board fails for three weeks to appoint, board may order new election of as many members as may be necessary, xii. xlix. lv. 12.

204

SCHOOL BOARD-continued.

Vacancies. To be filled up by school board nominating a person to supply vacancy, xiii. xlix. 11.

Duties and Powers. Appoint chairman, xv. xlix. 15.

appoint other officers, xvi. xxviii. xlix. 31, 32.

supersede heritors and minister in all powers, obligations, and duties, vested in or incumbent on them in regard to parish schools, xvii. xlix. 16.

supersede town councils in all powers and duties vested in them in regard to burgh schools, vii. xviii. xviii. xlix. 17.

supply any deficiency of public school accommodation in any parish or burgh; become vested in all public schools, whether existing at passing of Act or subsequently established, vii. xviii. l. 18.

form school districts, with consent of sheriff of county, v. vi. xiv. l. 13. ascertain educational requirements of parish and burgh, and extent and quality of existing provisions, xix. l. 18; determine extent and manner of providing additional accommodation, xix. l. 18; report determination to Board, within nine months of election of school board, xix. 1. 18

carry out direction of Board as to additional accommodation, xx. l. 19. if in default, carry out elections of Board, and pay expense of inquiry at instance of Board, xx. l. 20.

in determining as to accommodation, take into account every school, whether public or not, and whether or not situated in their parish or burgh, which is available for children in their parish or burgh, and which gives, or when completed will give, efficient education: power to call upon managers, &c., for documents, &c., and to inspect schools and scholars, xix. xxi. 1. 20.

maintain and keep efficient every school under their management, and provide such additional school accommodation as they shall judge necessary, xxi. l. 22; discontinue or change site of any school under their management; sell and dispose of any land or building connected with a discontinued school, with sanction of Board, xxi. xxiv. li. 22; may be compelled by Board to maintain and keep efficient schools under their management, xxi. li. 22.

acquire by purchase or otherwise sites for schools, &c., and have schools erected; purchase or lease existing schools, not being denominational or subscription; improve, enlarge, and furnish any schools under their management, xxii. li. 23.

accept of transference of existing denominational or subscription schools, with consent of Board, xxii. li. 23.

establish infant and evening schools, xxiii. li. 26.

establish industrial schools, with consent of Board, xxiii. li. 26.

combine for any purpose under the Act, with sanction of Board, xxiii. li. 26.

establish school funds, xxiv. li. 27.

impose rates; in ordinary cases certify to parochial board of parish or burgh annually (before 12th June) amount of deficiency in school fund to be supplied by "school rate," and receive amount from parochial board, xxvi. li. 27; where school district includes two or more parishes

205

SCHOOL BOARD-continued.

with separate parochial boards, certify to each parochial board in the district the amount on each £1 rental which they (the parochial board) shall collect as school rate, xxvi. li. 27; where no legal assessment for relief of poor, levy and collect *directly* school rate in same manner as if it were poor's rate, xxv. lii. 27.

borrow for school buildings, on security of school fund and rate, with consent of Board, xxiv. xxvi. lii. 28.

receive and administer income of property, &c., vested in heritors and kirk-sessions, or others, for promotion of education, according to the trusts; may depart from trusts, with consent of Board, xxviii. lii. 29; receive each Martinmas town council's subscription from common good for burgh school, and administer it for purpose of promoting higher instruction, xxvii. lii. 29.

receive bequests for education, and administer them according to wishes of donors, xxvii. lii. 30.

appoint treasurer (at first meeting), xxviii. lii. 30.

preserve annual accounts of treasurer, xxix. lii. 30.

appoint clerks and other officers (at first meeting), xxviii. lii. 32.

two or more school boards may appoint the same treasurer or other officer, xxviii, lii. 32.

fix the fees to be paid in schools, xxiv. xxvii. lii. 32.

provide teachers' houses (discretionary), xxxiv. lii. 33.

appoint teachers, during pleasure, xxxii. lii. 34.

cause teachers appointed before passing of Act to be removed, xxxii. lii. 36; by sheriff on charge of cruelty or immorality, or improper treatment of scholars, xxxii. lii. 36; on report of H.M. Inspector in cases of incompetency, unfitness, or inefficiency, if their judgment is confirmed by Board, xxxii. lii. 36.

permit teacher to resign on condition of receiving retiring allowance, xxxv. liii. 37.

manage higher class schools with a view to promote the higher education of the country, xxxvii. liii. 37; general provisions as to higher class schools, xl. liii. 37.

apply to Department for building grants, xxiv. xxxi. liii. 41.

put in force the clauses enforcing compulsory education, xvi. liii. 46; appoint officer to report on parents who neglect to educate their children, xvi. liii. 46; keep list of defaulters; summon and examine defaulters; if no reasonable excuse, certify to procurator-fiscal of district; pay expenses out of school fund, xliv. xlv. liii. 46.

report to Board, xlvi. liii. 48.

receive unexpended proceeds of parish school assessment for the year after the passing of the Act, xxiv. liii. 49; receive money payable to Parliamentary schoolmasters, xxiv. xxxiv. liii. 49.

take steps necessary, or as directed by Department, for election of their successors, xiii. liii. 11.

summary of principal duties in order of time, lix. lx.

School boards, list of parishes and burghs having separate, 166.

School board, form of conveyance for transference of a school to a school board, 126.

form of agreement between pupil teacher and, Code, 120.

School buildings, expense of repairing, enlarging, &c., xxiv. xl. 41, 42. See also building grants.

School diary, Code, 108.

School districts :-

constitution of, v. 6; elections within twelve months after the passing of this Act; of a school board, v. 6.

preliminary proceedings in case of election of school board for, 158.

parish, every parish (subject to exceptions) is constituted a school district, v. 23, 13.

Burgh: every burgh (subject to exceptions) is constituted a school district, v. 6.

district, general and special sense of the term, v.

school districts may be formed by two or more school boards detaching portions from their parishes and uniting them into districts, vi. 13; such districts deemed parishes, vi. 13; consent of sheriff necessary to this arrangement, vi. 13.

School fees in all public schools, except the higher class schools, fixed by school boards, and go into school fund, xxvi. xxvii. 32.

school boards have power to pay the fees directly to the teacher or divide them among the teachers, xxvii. 32.

in higher class schools are fixed by the teachers, with the approval of the school board, and distributed among the teachers, xxxviii. 38; disputes regarding, determined by the Board of Education, xxxviii. 1vii. 7, 38.

School funds shall be established in every parish or burgh, and a treasurer appointed, xxiv. 27, 31; sources from which the funds are derived, xxiv. 22, 28, 32, 41, 46, 49.

School rate. School boards empowered to impose, xxv.; provision for levying, xxv. 27.

School transference to a school board, form of conveyance for, 126.

Schools, Highland, 131.

Schools, public, defined to mean any parish or burgh school, or any school under the management of a school board, vii. 3.

proceedings for providing, xxii. 23.

management of, vested in the school boards of the district, viii. 18.

maintenance of, by school boards, lvii. 22. change of site or discontinuance of, in any parish or burgh, lvi. 22.

site of, extent, situation, tenure, Code, 102; trust deed, 102; plans, 102. transference of denominational and subscription schools, lvii. 23.

Schools, higher class public.

school boards may determine to increase the number of, xxxix. lvii. 37, 40.

may drain elementary instruction out of, lvii. 7.

Schools, denominational, may receive Parliamentary grants, but they are not considered to be public schools, 3.

Schools, Industrial. See Industrial.

Schools, Evening. See Evening.

Schools, Infant. See Infant.

Schoolmasters. See Teachers.

Schoolmasters' Widows' Fund Act—this Act not to affect, 49.

SCOTCH EDUCATION DEPARTMENT:-

Appointment of, vii.; members of, viii.

Definition. Scotch Education Department shall mean the Lords of any Committee of the Privy Council appointed by Her Majesty on Education in Scotland, vii. lviii. 2.

Duties and Powers. Appoint day (failing third Friday in October) for first meeting of the Board; and fix place of meeting, x. lviii. 5.

determine from time to time the rates and conditions according to which Parliamentary grants may be given: frame and issue the minutes containing the rates and conditions, ix. xxx. lviii. 5, 41.

appoint time for election to school board subsequent to the frst, having regard to the circumstances of the localities, xiii. lviii. 11.

in default of election of school board subsequent to the first taking place, order an election, xiv. lviii. 5; or allow existing school board to continue in office; or nominate a school board, xiv. lviii. 11.

receive and lay before Parliament abstract of receipts and expenditure of each school board, xxix. lviii. 32.

make regulations as to examinations of candidates for certificates of competency, viii. xxxv. lix. 35.

grant certificates of competency, viii. xxxv. lix. 35.

prepare code for distribution of Parliamentary grant, viii. lix. 41.

inquire as to new denominational schools, lix. 41.

regulate building grants, viii. xxiv. lix. 41.

approve of time-tables in public and rate-aided schools, xliii. lix. 44.

report to Parliament, xlvi. lix. 48.

communications to, how addressed, 8.

summary of principal duties of, in order of time, lix. lx.

minutes as to approval of time table, 1873, 126-8.

minute, 24 June, 1873, modifying 66th article of Code, 1873, as to status of teachers, 130.

Scotch Code (1873), 97.

Secretaries of State, school boards shall be subject to the jurisdiction of, so far as regards industrial schools, xxiii. 26.

Secular instruction, table of specific subjects of, Code, 122-3; distribution of time devoted to, Minute, 128.

Sheriffs of counties, disputes regarding the area of school districts, when authorised by the Board of Education, settled by, vii. 7; their determination final, vii. 7.

may be required to take preliminary steps for election of school board on failure of old managers to do so, xi. 9.

disputes regarding election of a candidate to be determined by, xii. 12.

teachers may be removed from office on the sentence of, xxxii. 36; their judgment final, xxxii. 36.

defaulting parents shall be prosecuted before, xlv. 46.

undesirable that sheriffs and sheriff-substitutes should act on school boards in their own counties, x.

Shetland, special provisions in regard to annual Parliamentary grant to schools in parishes in, xxx. 23, 42; reduction of grant, Code, 107. provisions for building grants, 101.

written ballot papers may be used in parishes of, 159.

Side schools

included in the definition "parish school," xvii. 8; become vested in school boards, xvii. 16, 17; may be discontinued, changed, or sold, 23.

Site of any school may be discontinued or changed by school board, with sanction of Board of Education, xxi. 22.

Small parishes may be added to adjacent parishes, vi. 13.

Special provisions, Code, 116.

Specific subjects of secular instruction, Code, 122, 123.

Stamp duties, &c., xxii. 24; note on, 88.

Standard of education which now exists in public schools shall not be lowered,
41.

Standard of examination for teachers in all public schools, except the higher class public schools, shall be fixed by the Scotch Education Department, 35.

for teachers of higher class school fixed by school boards, xxxviii. 37-38; qualification of examiners, 37, 38.

Standards of examination, Code, 106.

State-aided school, the word not defined, but may be taken to mean any school in receipt of Parliamentary grant, 10.

Statistics relative to schools in Scotland, published by the Education Commission in 1865, 19.

Status of teachers, minute modifying 66th article of Code as to, 130. Stirling High School deemed a higher class public school, xxxix. 52.

provisions applicable to, xl. xli. 37, 40, 52.

Students, examination of, in training colleges, Code, 115.

"Subject to inspection," meaning of, 2. Subjects, specific, of secular instruction, 122-3.

Subscription schools can only be transferred, 23.

"Suitable and available:" the points which should be considered in determining what schools are "suitable and available," for the instructing of children, 21.

Summaries of the principal provisions regarding-

Board of Education, liii. lvii.

School Boards, xlviii.-liii.

Scotch Education Department, lviii. lix.

Summary of the principal duties of the "Board," "Department," and "School Boards," in order of time, lix. lx.

Supplementary rules of Code, Code, p. 124-5.

Syllabus of subjects of examination, Code, 109.

Table of specific subjects of secular instruction, 122-3; Code to lie on table of Houses of Parliament, Code, 41.

TEACHERS :-

Definition of, xxxii. 3.

teachers of parish and burgh schools in office, their existing rights protected, xxxii. 18, 30, 34.

teachers appointed after the passing of this Act hold office under school boards, xxxiii. lii. 34.

vacancies between the passing of this Act and the election of the school boards to be filled up temporarily, xxxiii. 49.

teachers' houses, how maintained, xxxiv. 33; school board may provide (discretionary), xxxiv. lii.

salaries of teachers of Parliamentary schools continued as long as they hold office, xxxii. xxxiv. 34, 49.

certificates of competency must be held by the principal teacher in every public school, xxxiv. 34; who shall be deemed holders of such at the passing of this Act, xxxv. 34.

examination for certificates of competency, xxxv. 35; regulations for conducting, xxxv. 35.

university degrees, candidates who have taken a degree will not require to be examined in subjects comprised in the degree, but must satisfy examiner of skill in teaching, xxxv. 35.

retiring allowances, conditions of granting, xxxv. liii. 37.

registrar to perform statutory duties imposed upon schoolmasters not relating to teaching, xxxvi. 48.

Schoolmasters' Widows' Fund not affected by this Act, xxxvi. 49.

removal or dismissal of teachers, xxxii. lii. lvii. 34, 36.

teacher of a public or State-aided school not eligible as a member of a school board, lviii. 10.

teachers transferred cannot compel school boards to fulfil contracts made with school-managers, 25.

inexpedient to appoint as clerk or treasurer, xvi.

assistant, Code, p. 109, 113.

Time - tables specifying hours at which religious instruction is given, to be prepared in each public and State-aided school, under approval of the Scotch Education Department, xliii. lix. 44.

hours for such instruction, xliii. 44.

minutes of Scotch Education Department as to approval of, 126-8; when signed by Inspectors regarded as property of school, 128.

Time, order of, summary of the principal duties of the Board, Department, and school boards, in order of time, lix. lx.

Title; short title of Act, 50.

Town Councils, procedure of, in regard to first elections of school boards, xi. 10, 162.

funds or property vested in, for behoof of schools, to be transferred to school boards, xxvii. lii. 29.

sums, such as it has been the custom to contribute to schools out of the common good or other funds under their charge, shall be paid annually to the school board, xxvii. lii. 29.

superseded, with respect to all powers and duties in regard to schools, by school boards, vii. xvii. xviii. xlix. 17.

burgh schools transferred from, and vested in school boards, xvii. 17.

Training colleges, definition of Code, 113; grants to, 114; admission into, 114-5; examination of students in 115.

Transference of existing schools from heritors, xvii. xxii. li. 16, 17, 23, 24; from magistrates and town councils, xvii. xxii. li. 17, 23, 24.

Transference of a school to a school board, form of conveyance for, 126. Treasurer to school board—

appointment of, at first meeting, xv. xxviii, xlix, lii. 31.

inexpedient to appoint teacher as, xvi.

duties of, xxviii. 81.

accounts of, shall be made up and transmitted to the accountant of the Board of Education, xxviii. 31.

annual accounts shall be preserved by the school board, and be open to inspection of members of board and ratepayers, xxix. lii. 31.

two or more school boards may appoint the same treasurer or other officer, xvi. xxviii. lii. 32.

Trust deeds of schools, Code, 102.

Trusts; Board of Education may give consent to school boards to depart from trusts administered by them, xxvii. lii. lvii. 29.

Union of small burghs with parishes, 164.

United Presbyterian Church schools may be transferred to school boards, xxii.

24, 25; not by purchase, but only as a gift, 25; procedure for transference, xxii. 25.

United parishes esteemed one parish, vi. 7.

preliminary proceedings in case of election of school board for, 158.

University degrees may come in place of examination for a certificate of competency, xxxv. 35.

graduates in arts or science, Code, 109, 111.

members of council of a Scotch University though not graduates may receive certificates, Minute, 130.

Vacancies in school board to be filled up by school board nominating a person to supply vacancy, xiii. xlix. 11.

in office of teacher in parish or burgh schools occurring before a school board has been elected can only be filled up temporarily, xxxiii. 49.

Valuation Roll, how prepared, 8.

Voters, illiterate, no provision for assisting to record their votes in parishes and school districts, xii. 160, 163.

Votes to be taken by ballot, as prescribed by schedule in parishes, 158. and directed by Ballot Act in burghs, 163.

method of counting, 158, 160, 163.

validity of, 160.

Voting, mode of, 158-161, 163.

Voting, rules for, xii. 7, 10, 52, 159.

Wick and Pulteneytown considered a separate school district, v. 2, 51.

Written ballot papers may be used in parishes of the counties of Argyll, Inverness, Ross, Cromarty, Orkney, and Shetland, 159.

ADDENDA.

FORMS ISSUED BY THE SCOTCH EDUCATION DEPART-MENT REGARDING BUILDING GRANTS.

_Public School.	S.B.D.	
 	~.2.2	

THE following questions must be answered by the solicitor, and must be signed by him as well as by the correspondent on behalf of the school board.

- N.B.—The attention of the Solicitor is particularly requested to the Acts for facilitating the Conveyances of School-sites 4 & 5 Vict. c. 38; 12 & 13 Vict. c. 49, and 13 Vict. c. 18.
 - 1. Is the site Feu or Leasehold ?1
- 1.
- 2. Is it to be given, or to be sold?

join in the Grant?

- 2.
- 3. What is the name of the Grantor or Vendor?
 - , 3. 4.
- 4. What is his Title to the Property?
- 5. Is the estate in any manner settled or charged? 5.
- If so, what are the nature and extent of the charge; what is the annual value of the Property charged, and will the Mortgagee
- 7. If the owner possess only a Life Interest, is there any person next entitled to an Estate of inheritance in remainder, who is competent and willing to join in the Grant?—
 (Vide Act 4 and 5 Vict., c. 38, s. 2.)

¹ A Leasehold Site is not accepted by their Lordships when a Freehold Site can be obtained; and no Lease for a shorter term than 99 years, or with more than a nonnal rent, is admissible. Clauses for re-entry must be qualified, so as to be inoperative until the Money granted towards the erection of the School shall have been repaid to the Lords of Her Majesty's Treasury. The term of the Lease should be specified in this Form; and it should be stated whether the conditions required will be complied with.

8. If the Grantor's Estate is entailed, has any decreet from the Sheriff been obtained under 3 & 4 Vict., c. 48 ?

If so, the same, or a copy of it, should be forwarded.

Signed this	day of	187 .
		(Solicitor.)
-	(Corresponde	ent on behalf of the
	School Boa	rd of

INSTRUCTIONS AS TO THE PREPARATION OF THE DRAFT OF THE FEU-CHARTER OR DISPOSITION WHICH MUST BE SUBMITTED TO THE SCOTCH EDUCATION DEPARTMENT, FOR THE APPROVAL OF THEIR Counsel, before the Deed is executed.

The Solicitor's attention is directed to the Acts relating to the Conveyance of Sites for Schools (4 & 5 Vict. cap. 38; 12 & 13 Vict. cap. 49; and 13 Vict. cap. 13).

1. The legal estate (bare trusteeship) of Schools should be vested in the School Board, who, as a Corporate Body (35 & 36 Vict. c. 62, s. 22) are competent under the Act 4 & 5 Vict. c. 38, to hold the trust in perpetuity.

2. The Deed of Conveyance must declare the land to be held for the site of a Public School, for a playground or residence for the Teacher, and for no other purpose whatever.

3. When the Draft of the Deed has been prepared, it must be transmitted to their Lordships, in order that it may be submitted to their

Counsel, for his perusal.

4. When the Draft has been returned, approved by their Lordships' Counsel, it may be executed and registered according to the law of Scotland. No alteration whatever may be made in the Draft thus approved, except under the written sanction of their Lordships; otherwise the School Board will be unable, bond fide, to sign the Certificate of the fulfilment of the conditions on which their Lordships' Grants are made and accepted; which Certificate contains the following clause, viz. :- " That the entire premises have been conveyed to the Board by the Deed approved in Draft by your Counsel."

5. Before their Lordships can authorise the payment of any Grant, a full and exact copy of the Deed, on plain unstamped parchment, including all signatures and endorsements, will be required to be lodged for preservation in their Office. With this parchment copy should be forwarded, for the purpose of comparison, the Deed itself, or the registered extract, and the Draft approved by their Lordships' Counsel. The Deed or Extract and the approved Draft will be afterwards returned to the Promoters.

6. If, however, the Feu-Charter of the School-site be granted by the owner of an entailed estate under the 3 & 4 Vict. c. 48, their Lordships will require (1), before the Draft is approved to see the Sheriff's decreet; and (2), when the Deed has been executed, that the same shall have been recorded in the General Register of Sasines, for publication, before the parchment copy shall be sent to this Office.

7. In comparing the Deeds, Copies, and approved Drafts which are sent from time to time to this Office in pursuance of the foregoing instructions, my Lords have had frequent occasion to note a culpable want of care in ascertaining that the Draft has been correctly engrossed before the execution of the Deed; and inasmuch as an error of this kind, being perfectly irreparable without expensive legal proceedings, may be of fatal consequence to the stability of the endowment on some future occasion, their Lordships desire to give express and formal notice that they hold themselves at liberty to treat any such error as a ground of forfeiture in respect of the grant which may have been awarded; the promoters of Schools, therefore, must exercise their own vigilance in seeing that their professional advisers attend to this part of their duty.

THE DRAFT DEED MUST BE PREPARED BY FILLING UP THE BLANKS OF this PRINTED FORM. A MANUSCRIPT DRAFT CANNOT (except under special circumstances) BE SUBMITTED TO THEIR LORDSHIPS' COUNSEL, BUT WILL BE RETURNED TO THE PROMOTERS.

(I)1 or (WE)1

[freely and voluntarily] or [in consideration of] ²

do hereby under authority of an Act passed in the 5th year of the reign of Her Majesty Queen Victoria entituled "An Act to afford further facilities for the conveyance and endowment of sites for schools," The Education (Scotland) Act, 1872, And all other Acts powers and authorities enabling (me)¹ or (us)¹

¹ As the case may be.

² Erase the words in one of these two parentheses, as the case may be.

herein sell alienate and in feu farm dispone 2 from me my heirs and successors to and in favour of the School Board of the 8 of in Trust for the purposes of the said Acts and to be applied as a site for a Applic School within the meaning of the said Education (Scotland) Act, 1872, in the for a playground for the scholars and for a residence for the Teacher or Teachers in the said school and for no other purposes whatever, all and whole that

which piece of ground lies within the (parish or burgh) 4 of and County of with entry at the Term of

To be holden the said subjects by the said School Board of me and my aforesaid in Feu-Farm Fee and Heritage for ever Gibing 5 therefor yearly the said School Board to me and my aforesaid the Sum of Sterling in name of Feu-Duty at two terms in the year Whitsunday and Martinmas by equal portions beginning the first Term's Payment thereof at the term of

next for the half-year preceding and so forth at each term of Whitsunday and Martinmas in all time coming and that for all that can be exacted for the said subjects or any part thereof in all time coming

And I Assign the writs but that to the effect only of maintaining and defending my said disponees in the right of the subjects and others hereby conveyed and for that purpose I oblige myself and my aforesaid to make the same forthcoming to my said disponees on every necessary occasion upon a receipt and obligation to redeliver the same within a reasonable time and under a suitable Penalty and I assign the Rents And I bind myself to free and relieve the said School Board of all Feu-Duties Casualties and Public Burdens warrandice And I consent to Registration hereof for preservation And A direct these presents to be recorded in the General Register of Sasines But in trust for the said County of always with the powers and under the conditions provisions and declarations before referred to IN WITNESS WHEREOF.

I approve of this Draft on behalf of the Scotch Education Department.

Omit, if the Site is given gratuitously.
 The Words printed in old English should be similarly distinguished in engrossing.
 Parish. Burgh, or District.
 As the case may be.
 Insert when necessary.

MESSRS BLACKWOOD & SONS'

LAW PUBLICATIONS.

COUNTY LAW.

A PRACTICAL TREATISE ON THE FUNCTIONS, QUALIFICATIONS, AND DUTIES OF COUNTY OFFICIALS, LORDS-LIEUTENANTS, AND CONVENERS OF COUNTIES, COMMISSIONERS OF SUPPLY, CLERKS OF SUPPLY, ETC. ETC.

With special Reference to the Acts of Parliament which they Administer as Members of Road Trusts, Prison Boards, Police Committees, Local Authorities, &c.

By JOHN COMRIE THOMSON, Esq., ADVOCATE, Sheriff-Substitute of Aberdeen and Kincardine.

In One Volume, crown 8vo.

[In Preparation.

THE PUBLIC GENERAL STATUTES AFFECTING SCOTLAND

PASSED IN THE THIRTY-SIXTH AND THIRTY-SEVENTH YEARS OF THE REIGN OF HER MAJESTY QUEEN VICTORIA (1873).

With Index; Tables of the General, Local, and Private Acts; Tables showing the effects of the year's legislation; and Appendix containing Acts of Sederunt of the Court of Session.

8vo, cloth. Price 6s. 6d.

THE PUBLIC HEALTH ACT,

WITH ORDERS OF THE BOARD OF SUPERVISION, PRACTICAL FORMS APPROVED OF BY THAT BOARD, AND INDEX.

BY GEORGE MONRO, ADVOCATE.

New and Enlarged Edition. 4s. 6d.

THE DEBTS RECOVERY ACT.

AND THE INCORPORATED CLAUSES OF THE SMALL DEBT ACT,

Arranged in their order, with Annotations, and an APPENDIX containing the relative Schedules and Forms, together with the Hypothec Amendment Act and Copious Index.

By PETER MORISON.

2s. 6d.

THE COURT OF SESSION ACT, 1868, with Notes. By CHARLES SCOTT AND DAVID BRAND, ADVOCATES.

Octavo, cloth, 7s. 6d.

HANDY BOOK OF LAWS CHIEFLY AFFECTING SCOTLAND.

ABRIDGED AND PLAINLY STATED FOR GENERAL USE.

BY AN EX-SHERIFF-SUBSTITUTE.

Price 6d.

MANUAL OF THE LAW OF INSOLVENCY AND BANKRUPTCY:

COMPREHENDING A TREATISE ON THE LAW OF INSOLVENCY, NOTOUR BANKRUPTCY, COMPOSITION CONTRACTS, TRUST DEEDS, CESSIOS, AND SEQUESTRATIONS.

By JAMES MURDOCH.

Demy octavo, cloth, 16s.

ANCIENT CLASSICS

FOR

ENGLISH READERS.

Edited by the Rev. W. Lucas Collins, M.A.

"It is difficult to estimate too highly the value of such a series as this in giving 'English readers' an insight, exact as far as it goes, into those olden times which are so remote and yet to many of us so close. It is in no wise to be looked upon as a rival to the translations which have at no time been brought forth in greater abundance or in greater excellence than in our own day. On the contrary, we should hope that these little volumes would be in many cases but a kind of stepping-stone to the larger works, and would lead many who otherwise would have remained in ignorance of them to turn to the versions of Conington, Worsley, Derby, or Lytton. In any case a reader would come with far greater knowledge, and therefore with far greater enjoyment, to the complete translation, who had first had the ground broken for him by one of these volumes."—Saturday Review, January 18.

List of Volumes Published.

I. HOMER: THE ILIAD. By the Editor.

II. HOMER: THE ODYSSEY. By the Editor.

III. HERODOTUS. By G. C. Swayne, M.A.

IV. THE COMMENTARIES OF CÆSAR. By A. Trollope.

V. VIRGIL. By the Editor.

VI. HORACE. By Theodore Martin.

VII. ÆSCHYLUS. By Reginald S. Copleston, B.A.

VIII. XENOPHON. By Sir Alexander Grant, Bart.

IX. CICERO. By the Editor.

X. SOPHOCLES. By Clifton W. Collins, M.A.

XI. PLINY'S LETTERS. By the Rev. Alfred Church, M.A., and the Rev. W. J. Brodribb, M.A.

XII. EURIPIDES. By W. B. Donne.

XIII. JUVENAL. By Edward Walford, M.A.

XIV. ARISTOPHANES. By the Editor.

XV. HESIOD and THEOGNIS. By the Rev. J. Davis, M.A.

XVI. PLAUTUS and TERENCE. By the Editor.

XVII. TACITUS. By W. B. Donne.

XVIII. LUCIAN. By the Editor.

A Volume is published Quarterly, price 2s. 6d.

WILLIAM BLACKWOOD & SONS, EDINBURGH AND LONDON.

CATALOGUE

OF

WILLIAM BLACKWOOD & SONS'

PUBLICATIONS

45 GEORGE STREET, EDINBURGH
and
37 PATERNOSTER ROW
LONDON

. ı •

CATALOGUE.

The History of Europe,

FROM THE COMMENCEMENT OF THE FRENCH REVOLUTION IN 1789 TO THE BATTLE OF WATERLOO. By Sir Archibald Alison, Bart., D.C.L. Library Edition, 14 Vols. demy 8vo, with Portraits and a copious Index, £10, 10s.

On Large Paper, 14 vols., £14, 14s.

Crown 8vo Edition, 20 vols., £6.

People's Edition, 12 vols., closely printed in double columns, χ_2 , 8s.; and Index Volume, 3s.

"An extraordinary work, which has earned for itself a lasting place in the literature of the country, and within a few years found innumerable readers in every part of the globe. There is no book extant that treats so well of the period to the illustration of which Mr Alison's labours have been devoted. It exhibits great knowledge, patient research, indefatigable industry, and vast power."—Times.

"There is much in Mr Alison's History of the French Revolution against

"There is much in Mr Aljson's History of the French Revolution against which we intend to record our decided protest; and there are some parts of it which we shall feel compelled to notice with strong disapprobation. We therefore hasten to preface our less favourable remarks by freely acknowledging that the present work is, upon the whole, a valuable addition to European literature, that it is evidently compiled with the utmost care, and that its narration, so far as we can judge, is not perverted by the slightest partiality."—
Edinburgh Review.

"Alison's History of Europe, and the States connected with it, is one of the most important works which literature has produced. Years have elapsed since any historical work has created such an epoch as that of Alison: his sources of information and authorities are of the richest and most comprehensive description. Though his opinions are on the Conservative side, he allows every party to speak for itself, and unfolds with a master's hand how far institutions make nations great, and mighty, and prosperous."—Preface to the German Translation.

Continuation of the History of Europe,

FROM THE FALL OF NAPOLEON TO THE ACCESSION OF LOUIS NAPOLEON. By Sir Archibald Alison, Bart., D.C.L. Uniform with the Library Edition of the foregoing, 9 vols., £6, 7s. 6d.

PEOPLE'S EDITION, 8 vols. crown 8vo, 34s.

Atlas to Alison's History of Europe;

Containing 109 Maps and Plans of Countries, Battles, Sieges, and Sea-Fights. Constructed by A. Keith Johnston, F.R.S.E. With Vocabulary of Military and Marine Terms. Library Edition, £3, 9s.; People's Edition. £1, 11s. 6d.

- Epitome of Alison's History of Europe. Sixteenth Edition, 72. 6d., bound.
- Atlas to Epitome of History of Europe.
 410, 72.
- Life of John Duke of Marlborough.

With some Account of his Contemporaries, and of the War of the Succession. By Sir Archibald Alison, Bart., D.C.L. Third Edition, 2 vols. 8vo. Portraits and Maps, 3os.

- Essays: Historical, Political, and Miscellaneous. By Sir Archibald Alison, Bart., D.C.L. 3 vols. demy 8vo, 45s.
- Lives of Lord Castlereagh and Sir Charles
 Stewart, Second and Third Marquesses of Londonderry. From the
 Original Papers of the Family, and other sources, embracing a full
 Account of the Campaign of 1813 and 1814 in Germany and France, and
 of the Congresses of Vienna, Laybach, and Verona. By Sir Archibald
 Alison, Bart., D.C.L. 3 vols. 8vo, £2, 2s.
- Principles of the Criminal Law of Scotland.

 By Sir Archibald Alison, Bart., D.C.L. 8vo, 18s.
- Practice of the Criminal Law of Scotland.

 By Sir Archibald Alison, Bart., D.C.L. 8vo, cloth boards, 18s.
- The Principles of Population,
 AND THEIR CONNECTION WITH HUMAN HAPPINESS. By Sir Archibald
 Alison, Bart., D.C.L. 2 vols. 8vo, 3os.
- Outlines of Human Physiology.

 By William Pulteney Alison, M.D., Professor of the Institutes of Medicine in the University of Edinburgh, &c. &c. 8vo, 12s.
- Outlines of Pathology and Practice of Medicine. By William Pulteney Alison, M.D. 8vo, 18s.
- On the Management of the Poor in Scotland,
 AND ITS EFFECTS ON THE HEALTH OF THE GREAT TOWNS. By
 William Pulteney Alison, M.D. Crown 8vo, 5s. 6d.
- Angler's Diary,

For Recording the Quantity of Fish Killed, &c. 8vo, bound in green leather, 4s.

Poetical Works of Thomas Aird.

Fourth Edition, Fcap. 8vo, 6s.

"Mr Aird is a poet of a very high class, and in that class he occupies no mean or middling place. His imagination is lofty, his invention fertile, his sentiments heroic, and his language generally clear and forcible."—Scotsman.

The Old Bachelor in the Old Scottish Village.

By Thomas Aird. Fcap. 8vo, 4s.

"The book is full of a quiet sustained humour, genuine pathos, simple unaffected poetry, and displays not only fine imaginative power, but a hearty sympathy with nature in all her aspects, and with the simple tastes and pleasures of rustic life. A more delightful book we cannot imagine."—Manchester

Ancient Classics for English Readers.

Edited by the Rev. W. Lucas Collins, M.A.

The Volumes already published are:-

HOMER'S ILIAD. By Rev. W. L. Collins, M.A. HOMER'S ODYSSEY. By the Same. HERODOTUS. By G. C. Swayne, M.A. CÆSAR. By Anthony Trollope. VIRGIL. By Rev. W. L. Collins, M.A. HORACE. By Theodore Martin. ÆSCHYLUS. By R. S. Copleston, B.A. XENOPHON. By Sir Alex. Grant, Bart. CICERO. By Rev. W. L. Collins, M.A.

Apploashed are:—
SOPHOCLES. By C. W. Collins, M.A.
PLINY. By Rev. A. Church, M.A.,
and Rev. W. J. Brodribb, M.A.,
EURIPIDES. By W. B. Donne, M.A.
JUVENAL. By E. Walford, M.A.
ARISTOPHANES. By the Editor.
HERIOD. By Par. Lorger Design. M.A. HESIOD. By Rev. James Davies, M.A.

A Volume of this Series is published Quarterly, 2s. 6d.

Interludes.

By Alfred Austin, Author of 'The Season,' 'The Golden Age, &c. Fcap. 8vo, 5s.

"Enough has been written and quoted to show that Mr Austin is not a mere rhymster, spinning lines without beauty and devoid even of sense. He is hot, impulsive, generous, and thoroughly poetical. He has something to say, and he says it in words that dwell in the mind. He has songs to sing, and he sings them with a sweetness and melody that are rarely found."—Scotsman.

Lays of the Scottish Cavaliers, and other Poems.

By W. Edmondstoune Aytoun, D.C.L., Professor of Rhetoric and Belles-Lettres in the University of Edinburgh. Twenty-second Edition. Fcap.

"Mr Aytoun's 'Lays' are truly beautiful, and are perfect poems of their class, pregnant with fire, with patriotic ardour, with loyal zeal, with exquisite pathos, with noble passion. Who can hear the opening lines descriptive of Edinburgh after the great battle of Flodden, and not feel that the minstrel's soul has caught the genuine inspiration?"—Morning Post.

"Professor Aytoun's 'Lays of the Scottish Cavaliers'—a volume of verse which shows that Scotland has yet a poet. Full of the true fire, it now stirs and swells like a trumpet-note—now sinks in cadences sad and wild as the wail of a Highland dirge."—Quarterly Review.

Aytoun's Lays of the Scottish Cavaliers.

An Illustrated Edition. From designs by Sir J. Noel Paton and W. H. Paton, R.S.A. Engraved by John Thomson, W. J. Linton, W. Thomas, Whymper, Cooper, Green, Dalziels, Evans, &c. In small Quarto, printed on Toned Paper, bound in gilt cloth, 21s.

"The artists have excelled themselves in the engravings which they have furnished. Seizing the spirit of Mr Aytoun's 'Ballads' as perhaps none but Scotchmen could have seized it, they have thrown their whole strength into the work with a heartiness which others would do well to imitate. Whoever there may be that does not know these 'Lays' we recommend at once to make their acquaintance in this edition, wherein author and artist illustrate each other as kindred spirits should."—Standard.

Bothwell: A Poem.

By W. Edmondstoune Aytoun, D.C.L. Third Edition. Fcap. 8vo, 7s. 6d.

"A noble poem, healthy in tone and purely English in language, and closely

linked to the historical traditions of his native country."—John Bull.
"Professor Aytoun has produced a fine poem and an able argument, and 'Bothwell' will assuredly take its stand among the classics of Scottish Literature,"-The Press.

The Ballads of Scotland.

Edited by Professor Aytoun. Fourth Edition. 2 vols., fcap. 8vo, 12s.

"No country can boast of a richer collection of Ballads than Scotland, and no Editor for these Ballads could be found more accomplished than Professor Aytoun. He has sent forth two beautiful volumes which range with Percy's 'Reliques'—which, for completeness and accuracy, leave little to be desired which must henceforth be considered as the standard edition of the Scottish Ballads, and which we commend as a model to any among ourselves who may think of doing like service to the English Ballads."—The Times.

Norman Sinclair.

By W. Edmondstoune Aytoun, D.C.L. 3 vols. post 8vo, 31s. 6d.

Firmilian, or the Student of Badajos.

A SPASMODIC TRAGEDY. By T. Percy Jones (Professor Aytoun). In small 8vo, 5s.

"Humour of a kind most rare at all times, and especially in the present day, runs through every page; and passages of true poetry and delicious versification prevent the continual play of sarcasm from becoming tedious."—Literary Gazette.

Memoir of William E. Aytoun, D.C.L.

Author of 'Lays of the Scottish Cavaliers,' &c. By Theodore Martin. With Portrait. Post 8vo. 12s.

"This biography is quite a model in its way, and a delightful relief after much that has been done of late years in a similar line. Good taste, right feeding, and a generous but seldom excessive appreciation of the subject, mark the work."—Manchester Guardian.

Blackwood's Magazine,

FROM COMMENCEMENT IN 1817 TO DECEMBER 1872. Nos. 1 to 686, forming 112 Volumes. £30.

Index to Blackwood's Magazine.

The First 50 Volumes. Octavo, 158.

Tales from "Blackwood."

Twelve Volumes. Sewed, 12s. Bound in cloth, 18s. The Volumes are sold separately, 1s. and 1s. 6d., and may be had of most Booksellers, in Six Volumes, handsomely half-bound in red morocco, 28s. 12 Volumes in 6, half Roxburghe, 21s. 12 Volumes, half-calf, richly gilt, 30s.

CONTENTS.

- Vol. I. The Glenmutchkin Railway.—Vanderdecken's Message Home.—The Floating Beacon.—Colonna the Painter.—Napoleon.—A Legend of Gibraltar.—The Iron Shroud.
- Vol. II. Lazaro's Legacy.—A Story without a Tail.—Faustus and Queen Elizabeth.—How I became a Yeoman.—Devereux Hall.—The Metempsychosis.—College Theatricals.
- Vol. III. A Reading Party in the Long Vacation.—Father Tom and the Pope.
 —La Petite Madelaine.—Bob Burke's Duel with Ensign Brady.—The Headsman: A Tale of Doom.—The Wearyful Woman.
- Vol. IV. How I Stood for the Dreepdaily Burghs.—First and Last.—The Duke's Dilemma: A Chronicle of Niesenstein.—The Old Gentleman's Tectotum.—"Woe to us when we lose the Watery Wall."—My College Friends: Charles Russell, the Gentleman Commoner.—The Magic Lay of the One-Horse-Chay.
- Vol. V. Adventures in Texas.—How we got Possession of the Tuileries.—Captain Paton's Lament.—The Village Doctor.—A Singular Letter from Southern Africa.
- Vol. VI. My Friend the Dutchman.—My College Friends—No. II.: Horace Leicester.—The Emerald Studs.—My College Friends—No. III.: Mr W. Wellington Hurst.—Christine: A Dutch Story.—The Man in the Bell.
- Vol. VII. My English Acquaintance.—The Murderer's Last Night.—Narration of Certain Uncommon Things that did formerly happen to Me, Herbert Willis, B.D.—The Wags.—The Wet Wooing: A Narrative of '98.—Ben-na-Groich.
- Vol. VIII. The Surveyor's Tale. By Professor Ayton.—The Forrest-Race Romance.—Di Vasari: A Tale of Florence.—Sigismund Fatello.—The Boxes.
- Vol. IX. Rosaura: A Tale of Madrid.—Adventure in the North-West Territory.—Harry Bolton's Curacy.—The Florida Pirate.—The Pandour and His Princess.—The Beauty Draught.
- Vol. X. Antonio di Carara.—The Fatal Repast.—The Vision of Cagliostro.— The First and Last Kiss.—The Smuggler's Leap.—The Haunted and the Haunters.—The Duellists.
- Vol. XI. The Natolian Story-Teller.—The First and Last Crime.—John Rintoul.—Major Moss.—The Premier and his Wife.
- Vol., XII. Tickler among the Thieves!—The Bridegroom of Barna.—The Involuntary Experimentalist.—Lebrun's Lawsuit.—The Snowing-up of Strath-Lugas.—A Few Words on Social Philosophy.

Blackwood's Standard Novels.

Uniform in size and legibly printed. Each Novel complete in one Volume.

Florin Series, Illustrated Boards. Tom Cringle's Log. By Michael Scott.

Cruise of the Midge. By the Author of 'Tom Cringle's Log.'

Cyril Thornton. By Captain Hamilton. Annals of the Parish. By John Galt.

The Provost, and other Tales. By John Galt.

Sir Andrew Wylie. By John Galt.

The Entail. By John Galt.

Reginald Dalton. By J. G. Lockhart.

Pen Owen. By Dean Hook.

Adam Blair, By J. G. Lockhart.

Lady Lee's Widowhood. By Col. Hamley. Salem Chapel. By Mrs Oliphant.

The Perpetual Curate. By Mrs Oliphant. Miss Marjoribanks. By Mrs Oliphant.

Or in Cloth Boards, 2s. 6d.

Shilling Series, Illustrated Cover.

The Rector and the Doctor's Family. By Mrs Oliphant.

The Life of Mansie Waugh. By D. M. Moir.

Peninsular Scenes and Sketches. By F. Hardman.

Sir Frizzle Pumpkin, Nights at Mess, &c.

The Subaltern. Life in the Far West. By G. F. Ruxton.

Valerius: A Roman Story. By J. G. Lockhart.

Or in Cloth Boards, 1s. 6d.

OTHER WORKS IN PREPARATION.

Blackwood's Maps of the Counties of Scotland.

In Cloth Case for the Pocket, 1s. each.

The same strongly bound in leather, in one vol. post 8vo, ros. 6d.

The Maid of Sker.

By R. D. Blackmore, Author of 'Lorna Doone,' &c. Originally published

in 'Blackwood's Magazine,' A New Edition. Crown 8vo, 7s. 6d.

"His descriptions are wonderfully vivid and natural, although he loves to paint nature in her most extravagant freaks. His pages are brightened everywhere with quiet humour; the quaint dry turns of thought remind you occasion-

ally of Fielding."—Times.
"A work which reads in some parts like the famous autobiographies of Defoe, and in others contains descriptions of natural beauty worthy of Kingsley, and nautical adventures not inferior to the best things in Marryat."—Athenæum.
"But let fact or fiction begin or end where they will, the book is exceeding able, and strikingly original."—Saturday Review.

"Mr Blackmore's book is in our opinion a genuine success, one of the few

good novels that have been written for many years, and one which will live.' Spectator.

Lilias Lee, and other Poems.

By James Ballantine, Author of 'The Gaberlunzie's Wallet,' &c. Fcap. 8vo, 5s.

Battle of Dorking. Reminiscences of a Volunteer · From 'Blackwood's Magazine.' Second Hundredth Thousand, 6d.

Belief-What is it?

Or, The Nature of Faith as Determined by the Facts of Human Nature and Sacred History. 8vo, 7s.

Tables for Travellers.

Adapted to the Pocket or Sextant-Case. Compiled by Admiral Bethune, C.B., F.R.A.S., and F.R.G.S. Cloth, 3s. 6d.

The Boscobel Tracts.

RELATING TO THE ESCAPE OF CHARLES THE SECOND AFTER THE BATTLE OF WORCESTER, AND HIS SUBSEQUENT ADVENTURES. Edited by J. Hughes, Esq., A.M. A New Edition, with additional Notes and Illustrations, including Communications from the Rev. R. H. Barham, Author of the 'Ingoldsby Legends.' In Octavo, with Engravings, 16s.

"'The Boscobel Tracts' is a very curious book, and about as good an example of single subject historical collections as may be found. Originally undertaken, or at least completed, at the suggestion of the late Bishop Copplestone, in 1827, it was carried out with a degree of judgment and taste not always found in works of a similar character."—Spectator.

Memoirs of the Life and Times of Henry Lord Brougham. Written by Himself. 3 vols. octavo, £2, 8s. The Volumes are sold separately, 16s. each.

The Forester:

A Practical Treatise on the Planting, Rearing, and General Management of Forest-trees. By James Brown, Wood-Surveyor and Nurseryman, Stirling. Fourth Edition. Royal 8vo, with Engravings, £1, 11s. 6d.

In preparing the present Edition, the Author has carefully re-written the book, and added nearly one hundred new sections upon important subjects, which were necessary to bring it up to the advanced state of the times, and to make it in all respects worthy of continuing in public favour, as a complete directory in all matters connected with the improved state of Aboriculture at the present day.

"What we have often stated in these columns we now repeat, that the book before us is the most useful guide to good arboriculture in the English language."—Review of Third Edition in Gardeners' Chronicle by Dr Lindley, "Beyond all doubt this is the best work on the subject of forestry extant."—Yournal of Horticulture.

The Book of Ballads.

Edited by Bon Gaultier. Eleventh Edition, with numerous Illustrations by DOYLE, LEECH, and CROWQUILL. Gilt edges, post octavo, 8s. 6d.

Family Records of the Bruces and the Cumyns.

With an Historical Introduction and Appendix from authentic Public and Private Documents. By M. E. Cumming Bruce. Quarto, cloth, £2, 10s. LARGE-PAPER EDITION, medium quarto, cloth, £3, 10s.

Jessie Cameron: A Highland Story.

By the Lady Rachel Butler. Second Edition. Small octavo, with a Frontispiece, 2s. 6d.

Handy Book of Meteorology.

By Alexander Buchan, M.A., F.R.S.E., Secretary of the Scottish Meteorological Society, &c. A New Edition, being the Third. [In the press.

In this Edition the Charts of the Distribution of Atmospheric Pressure and of Terrestrial Temperature will be revised; the Relations of Temperature to Atmospheric Pressure and Winds will, with the aid of Illustrative Charts, be more fully discussed, and the principle will be applied in explanation of unusually Hot and Cold Seasons, as well as Seasons of excessive Drought or excessive Rainfall; Charts will be given showing the Distribution of Rain over the Continents of the Globe, and its connection with the distribution of atmospheric pressure and temperature, and with prevailing winds, will be pointed out; the Prevailing Winds over the Globe will be represented on Charts; and otherwise the book will be revised throughout.

Introductory Text-Book of Meteorology.

By Alexander Buchan, M.A., F.R.S.E., Author of 'Handy Book of Meteorology,' &c. Crown 8vo, with 8 Coloured Charts and other Engravings, pp. 218. 4s. 6d.

"A handy compendium of Meteorology by one of the most competent authorities on this branch of science."—Petermann's Geographische Mittheilungen.

ungen.
"We can recommend it as a handy, clear, and scientific introduction to the theory of Meteorology, written by a man who has evidently mastered his subject."—Lancet.
"An exceedingly useful volume."—Athenæum.

Memoir of the Political Life of the Right Honourable Edmund Burke, with Extracts from his Writings. By the Rev. George Croly, D.D. 2 vols. post 8vo, 18s.

Handbook of the Mechanical Arts

Concerned in the Construction and Arrangement of Dwelling-Houses and other Buildings; with Practical Hints on Road-making and the Enclosing of Land. By Robert Scott Burn, Engineer. Second edition, crown 8vo, 6s. 6d.

Practical Ventilation,

As applied to Public, Domestic, and Agricultural Structures; with Remarks on Heating, Construction of Fire-Places, Cure of Smoky Chimneys, and an Appendix on the Ventilation of Ships, Steamboats, and Railway Carriages. By Robert Scott Burn, Engineer. Crown 8vo, 6s.

The History of Scotland:

From Agricola's Invasion to the Extinction of the last Jacobite Insurrection. By John Hill Burton, Historiographer-Royal for Scotland. New and Enlarged Edition, in 8 vols. crown 8vo. Publishing monthly, 7s. 6d. each.

The Book-Hunter.

By John Hill Burton. In crown 8vo. Second Edition, 7s. 6d.

"A book pleasant to look at and pleasant to read-pleasant from its rich store of anecdote, its geniality, and its humour, even to persons who care little for the subjects of which it treats, but beyond measure delightful to those who are in any degree members of the above-mentioned fraternity."—Saturday Review.

The Scot Abroad,

AND THE ANCIENT LEAGUE WITH FRANCE. By John Hill Burton. 2 vols. crown 8vo, in Roxburghe binding, 15s.

"No amount of selections, detached at random, can give an adequate idea of the varied and copious results of reading which are stored up in the compact and pithy pages of 'The Scot Abroad.'"—Saturday Review.
"A charming book."—Spectator.

The Cairngorm Mountains.

By John Hill Burton. In Crown 8vo, 3s. 6d.

"One of the most complete as well as most lively and intelligent bits of reading that the lover of works of travel has seen for many a day." Review.

Sermons.

By John Caird, D.D., Professor of Divinity in the University of Glasgow. Thirteenth Thousand. Fcap. 8vo. 5s.

"They are noble sermons; and we are not sure but that, with the cultivated reader, they will gain rather than lose by being read, not heard. There is a thoughtfulness and depth about them which can hardly be appreciated, unless when they are studied at leisure; and there are so many sentences of elicitously expressed that we should grudge being hurried away from them by a
rapid speaker, without being allowed to enjoy them a second time."—Fraser's Magazine.

Religion in Common Life:

A Sermon preached in Crathie Church, October 14, 1855, before Her Majesty the Queen and Prince Albert. By John Caird, D.D. Published by Her Majesty's Command. Bound in cloth, 8d. Cheap Edition, 3d.

Autobiography of the Rev. Dr Alexander Carlyle,

Minister of Inveresk. Containing Memorials of the Men and Events of his Time. Edited by John Hill Burton. In 8vo. Third Edition, with Portrait, 14s.

"This book contains by far the most vivid picture of Scottish life and manners that has been given to the public since the days of Sir Walter Scott. In bestowing upon it this high praise, we make no exception, not even in favour of Lord Cockburn's Memorials—the book which resembles it most, and which ranks next to it in interest."—Edinburgh Review.

"A more delightful and graphic picture of the everyday life of our ancestors it has never been our good fortune to meet with."—National Review.

A Treasury of the English and German Languages.

Compiled from the best Authors and Lexicographers in both Languages. Adapted to the Use of Schools, Students, Travellers, and Men of Business; and forming a Companion to all German-English Dictionaries. By Joseph Canvin, LL.D. & Ph.D., of the University of Göttingen, &c. Crown 8vo, 78.46d., bound in cloth.

"An excellent English-German Dictionary, which supplies a real want."—Saturday Review.

"The difficulty of translating English into German may be greatly alleviated by the use of this copious and excellent English-German Dictionary, which specifies the different senses of each English word, and gives suitable German equivalents. It also supplies an abundance of idiomatic phraseology, with many passages from Shakespeare and other authors aptly rendered in German. Compared with other dictionaries, it has decidedly the advantage."—Athenæum.

Captain Clutterbuck's Champagne.

A WEST INDIAN REMINISCENCE. Post 8vo, 12s.

"We can conscientiously commend 'Captain Clutterbuck's Champagne' to all who like a really original story with no nonsense in it."—Press.

The Punjab and Delhi in 1857:

BEING A NARRATIVE OF THE MEASURES BY WHICH THE PUNJAB WAS SAVED AND DELHI RECOVERED DURING THE INDIAN MUTINY. By the Rev. J. Cave-Brown, Chaplain of the Punjab Movable Column. With Plans of the Chief Stations and of the different Engagements, and Portraits of Sir J. Lawrence, Bart., Sir H. Edwardes, Sir R. Montgomery, and Brig.-Gen. J. Nicholson. 2 vols. post 8vo, 21s.

"This is a work which will well repay the trouble of perusal. Written by one who was himself present at many of the scenes he narrates, and who has had free access to the papers of Sir J. Lawrence, Sir R. Montgomery, and Sir H. Edwardes, it comes with all the weight of official authority, and all the vividness of personal narrative."—Press.

Coquet-Dale Fishing Songs.

Now first collected by a North-Country Angler, with the Music of the Airs. 8vo, 5s.

Sporting Days.

By John Colquhoun, Author of 'The Moor and the Loch,' &c. Crown 8vo, 5s.

Rocks and Rivers;

Or, Highland Wanderings over Crag and Correi, "Flood and Fell." By John Colquhoun, Author of 'Sporting Days.' 8vo, 6s. 6d.

Salmon-Casts and Stray Shots.

Being Fly-leaves from the Note-Book of John Colquboun, Esq., Author of 'The Moor and the Loch,' &c. Second Edition, fcap. 8vo, 5s.

The Coming Race.

Seventh Edition, crown 8vo, 6s.

"Language, literature, and the arts, all touched on with admirable veri similitude, are impressed into the service of his thesis; and often, in reading of the delights of this underground Utopia, have we sighed for the refreshing tranquillity of that lamp-lit land."—Athenœum.

"Its kindly satire, its gentle moralisings, its healthy humour, and its extensive knowledge well applied, combine to separate it from the mass of ephemeral publications, and give evidence of literary skill very rarely to be met with in books written for the circulating libraries."—Examiner.

"The book is well written, and ingeniously worked out."—Saturday Review.

Venus and Psyche,

WITH OTHER POEMS. By Richard Crawley. Fcap. 8vo, 5s.

"Mr Crawley writes verses through which there runs an abundant vein of genuine poetry. . . . Much, very much, of Mr Crawley's poetry is perfectly original—the creation of his own fancy—which is eminently near akin to the vision and the faculty divine, and is equally powerful in painting scenes of terror and tenderness. His minor poems are most of them beautiful, and some of them exquisite pieces of piercing satire."—Evening Standard.

The Genesis of the Church.

By the Right Rev. Henry Cotterill, D.D., Bishop of Edinburgh.

"The book is strikingly original, and this originality is one of its great charms—the views of an able and cultivated man whom long study has made fully master of his subject."—Scottish Guardian.

"In Dr Cotterill's volume a book of great ability has been presented to the world."—Edinburgh Courant.

world.—Eastnourgh Courant.

"His book breathes the spirit and is stamped with the character of the present age. It requires, and will amply repay, the most careful and attentive reading; and it is likely to carry conviction to many a mind which has been merely repelled by the ordinary quoting of texts or appeals to Church History to prove the existence of the three Orders, and the necessity of the apostolical succession."—Literary Churchman.

Chronicles of Carlingford.

Salem Chapel. 2s. in boards, or 2s. 6d. in cloth.

The Rector, and the Doctor's Family. 1s. in boards, or 1s. 6d. in cloth.

The Perpetual Curate. 2s. in boards, or 2s. 6d. in cloth.

Miss Marjoribanks. 2s. in boards, or 2s. 6d. in cloth.

Cornelius O'Dowd upon Men and Women,

AND OTHER THINGS IN GENERAL. 3 vols. crown 8vo, 10s. 6d. each.

"The flashes of the author's wit must not blind us to the ripeness of his wisdom, nor the general playfulness of his O'Dowderies allow us to forget the ample evidence that underneath them lurks one of the most earnest and observant spirits of the present time."—Daily Review.

The Fatherhood of God:

Considered in its General and Special Aspects, and particularly in relation to the Atonement; with a Review of Recent Speculations on the Subject. By Thomas J. Crawford, D.D. Third Edition, revised and enlarged, with a Reply to the Strictures of Dr Candlish. 9s.

"The plan of this work is comprehensive and yet definite. It embodies much original thought, and the author's habits of searching inquiry and careful arrangement stand him in good stead. Whatever difference of opinion there may be on sundry topics, it would be idle to question the great ability shown by the learned Professor. As the subjects treated of have been and are so much discussed, it will be satisfactory to many to receive a book which expounds so fully, and maintains so forcibly, and on a Scriptural basis, the views of one so well qualified to speak."—Journal of Sacred Literature.

The Doctrine of Holy Scripture respecting the

Atonement. By Thomas J. Crawford, D.D., Professor of Divinity in the University of Edinburgh. 8vo, 12s.

"This addition to the latest contributions to the elucidation of the doctrine of the atonement must inevitably take a high rank among them. It collates and analyses the teachings, not only of the apostles, but of all Scriptural authors on the subject. The work is done in a critical, thorough, exhaustive manner, and gives us an exhaustive thesaurus of Scriptural doctrine on the subject."—Princeton Review.

Sketches of the South and West;

Or, Ten Months' Residence in the United States. By Henry Deedes. Fcap. 8vo, 5s.

Descartes

On the Method of Rightly Conducting the Reason, and Seeking Truth in the Sciences, and his Meditations, and Selections from his Principles of Philosophy. In One vol. post 8vo, 4s. 6d.

Japan;

Being a Sketch of the History, Government, and Officers of the Empire. By Walter Dickson. 8vo, 15s.

"The entire work is not only pleasant and instructive reading, but one that ought to be read and re-read by all who wish to attain anything like a coherent idea of the real condition of Japan. Its value can hardly be overestimated."—Lendon and China Express.

"Mr Dixon's work gives a general account of the History of Christianity in Japan more accurately than any preceding writer in the English language.

His work is the most valuable one that has yet appeared."—Quarterly Review.

A Family Tour round the Coasts of Spain and Portugal DURING THE WINTER OF 1860-61. By Lady Dunbar of Northfield. Post 8vo, 5s.

The Divine Footsteps in Human History.

8vo. ros. 6d,

Seats and Saddles, Bits and Bitting,

AND THE PREVENTION AND CURE OF RESTIVENESS IN HORSES. By Francis Dwyer. A New and Enlarged Edition. Crown 8vo, with Engravings, 7s. 6d.

"Of Major Dwyer's book we can speak with much approbation. To those who are fond of the science of horsemanship, and who will give themselves time for some study of it, we know no work that comprehends so much good matter in so small a space."—Baily's Monthly Magazine.

Essays.

By the Rev. John Eagles, A.M., Oxon. Originally published in 'Blackwood's Magazine.' Post 8vo, 10s. 6d.

CONTENTS:—Church Music, and other Parochials.—Medical attendance, and other Parochials.—A few Hours at Hampton Court.—Grandfathers and Grandchildren.—Sitting for a Portrait.—Are there not Great Boasters among us?—Temperance and Teetotal Societies.—Thackeray's Lectures: Swift.—The Crystal Palace.—Civilisation: the Census.—The Beggar's Legacy.

The Sketcher.

By the Rev. John Eagles, A.M. Originally published in 'Blackwood's Magazine.' 8vo, ros. 6d.

"This volume, called by the appropriate name of 'The Sketcher,' is one that ought to be found in the studio of every English landscape-painter.
. . . More instructive and suggestive readings for voung artists, especially landscape-painters, can scarcely be found."—The Globe.

Sonnets.

By the Rev. John Eagles, A.M. Crown 8vo, 5s.

Works of George Eliot. Library Edition.

Adam Bede. 2 vols., fcap. 8vo, 12s. The Mill on the Floss. 2 vols., fcap. 8vo, 12s. Scenes of Clerical Life. 2 vols., fcap. 8vo, 12s. Silas Marner. Fcap. 8vo, 6s. Felix Holt. 2 vols., fcap. 8vo, 12s.

Works of George Eliot. Cheap Edition.

Adam Bede. 38. 6d. The Mill on the Floss. 3s. 6d. Scenes of Clerical Life. 38. Silas Marner. 2s. 6d. Felix Holt. 3s. 6d.

Middlemarch: A Study of English Provincial Life. By George Eliot. In Eight Books, 5s. each.

- 1. MISS BROOKE.
- 2. OLD AND YOUNG.
 3. WAITING FOR DEATH.
 4. THREE LOVE PPOBLEMS.
- 5. THE DEAD HAND.
 6. THE WIDOW AND THE WIFE. TWO TEMPTATIONS.
- 7. TWO TEMPTATIONS. 8. SUNSET AND SUNRISE.

A New Edition. 4 vols. fcap. 8vo, 218.

The Spanish Gypsy.

By George Eliot. Fourth Edition, crown 8vo, 7s. 6d.

"It is emphatically a great poem, great in conception, great in execution." -Blackwood's Magazine.

"She is a great writer, and in the 'Spanish Gypsy' she has achieved a great work."- Times.

"It is impossible, indeed, to speak too highly of the intellectual conception at the basis of the poem, and the finish and power with which it is worked out and adorned."—Spectator.

Wise, Witty, and Tender Sayings,

In Prose and Verse. Selected from the Works of George Eliot. By Alexander Main. Handsomely printed on Toned Paper, bound in gilt cloth, 5s.

"But undoubtedly George Eliot is the only woman of our time whose writings would be remembered for their humour alone, or whose sayings, just now

collected into a volume by themselves, are at all likely, like Shakespeare's sayings, to pass into the substance of the language."—Spectator.
"This little volume, which is everything that could be desired in the way of get-up, brings George Eliot's weightier thoughts and reflections, which lie scattered throughout her books, conveniently near; and busy readers may easily repair the results of inevitable haste by frequently devoting to it a spare half-hour. It is a book to have beside one, to be often taken up and laid aside again; for every page supplies food for meditation, and something, too, that is well calculated to be helpful in the conduct of life."—Nonconformist.

A Memoir of John Elder,

Engineer and Shipbuilder. By W. J. Macquorn Rankine, with Portrait. Crown 8vo. 2s. 6d.

The Education (Scotland) Act, 1872.

With Introduction, Explanatory Notes, and Index. By Alexander Craig Sellar, Advocate, Secretary to the Lord Advocate of Scotland. Price 6s. Another Edition—the Text only—price 6d.

Essays on Social Subjects.

Originally published in the 'Saturday Review.' A New Edition. First and Second Series. 2 vols., crown 8vo, 6s. each.

"Two remarkable volumes of occasional papers, far above the average of such miscellanies. They are the production of a keen and kindly observer of men and manners, and they display a subtle analysis of character, as well as a breadth of observation, which are remarkable. With much of occasional force, these Essays have sufficient solidity to make a book; and while they recall the wit of Montaigne and the playfulness of Addison, they are animated by a better moral tone, and cover a larger range of experience."—Christian Remembrancer.

Euchologion; or, Book of Prayers:

Being Forms of Worship issued by the Church Service Society. A New and Enlarged Edition, 6s. 6d.

"We know of no book which could be recommended as likely to be of greater use to the clergyman, especially to the young and inexperienced, than this second edition of 'Euchologion."—Scotsman.

The Crown and its Advisers;

Or, Queen, Ministers, Lords, and Commons. By Alexander Charles Ewald, F.S.A. Crown 8vo, 5s.

"We may congratulate Mr Ewald on the possession of a popular style and a clear method. . . . His observations on everything connected with the usages of Parliament are sound, and calculated to be very useful to the class of persons he is addressing. . . . A commendable attempt to explain in simple and popular language the machinery of the English Government."—
Pall Mall Gazette.

'May be regarded in some respects as a Constitutional Manual."-Standard.

Institutes of Metaphysic:

The Theory of Knowing and Being. By James F. Ferrier, A.B. Oxon., Professor of Moral Philosophy and Political Economy, St Andrews. Second Edition. Crown 8vo, 10s. 6d.

Lectures on the Early Greek Philosophy,

AND OTHER PHILOSOPHIC REMAINS OF PROFESSOR FERRIER OF ST ANDREWS. Edited by Sir Alexander Grant and Professor Lushington. 2 vols. post 8vo, 24s.

"These lectures, in so far as they treat of Greek philosophy down to Plato, have been carefully elaborated, and are of much value—of higher value, indeed, than any writings on the same subject in the English language; and in point of clearness, depth, and resolute search after truth, and tenacious hold of it when found, we doubt if they are surpassed in any language. . . . For our part, we do not know any philosophical writings so fascinating to a young student of philosophy as these early pages."—Scotsman.

Field-Map, Lothians Hunt;

with List of the Meets and Distances from General Post-Office, Edinburgh, and from the nearest Railway Stations. Bound in leather, 5s.

History of Greece under Foreign Domination.

By George Finlay, LL.D., Athens. 7 vols. 8vo-viz. :

Greece under the Romans. B.C. 146 to A.D. 717. A Historical View of the Condition of the Greek Nation from its Conquest by the Romans until the Extinction of the Roman Power in the East. Second Edition, 165.

History of the Byzantine Empire. A.D. 716 to 1204; and of the Greek Empire of Nicæa and Constantinople, A.D. 1204 to 1453. 2 vols.

Empire of Nicea and Constantinopie, A.D. 1204 to 1453.

§ 1, 78. 6d.

Mediaval Greece and Trebisond. The History of Greece, from its Conquest by the Crusaders to its Conquest by the Turks, A.D. 1204 to 1566; and the History of the Empire of Trebizond, A.D. 1204 to 1461. 128.

Greece under Othoman and Venetian Domination. A.D. 1453 to 1821.

ros. 6d. History of the Greek Revolution. 2 vols. 8vo, £1, 4s.

"His book is worthy to take its place among the remarkable works on Greek history which form one of the chief glories of English scholarship. The history of Greece is but half told without it."—London Guardian.

"His work is therefore learned and profound. It throws a flood of light upon an important though obscure portion of Grecian history. . . . In the essential requisites of fidelity, accuracy, and learning, Mr Finlay bears a favourable comparison with any historical writer of our day."—North American

Flowers from Fatherland in English Soil.

Translations from the German by John Pitcairn Trotter; A. Mercer Adams, M.D.; and George Coltman, M.A. Crown 8vo, 6s.

"A volume of translations that may be heartily recommended for their rare excellence."—London Quarterly Review.

"This is a very elegant volume of poems. The translations are good in most cases, spirited often, and readable always. And it is as gratifying as it is astonishing to mark the ease and elegance with which some of Heine's perfect gems are placed in their English setting."—Illustrated London News.

The Campaign of Garibaldi in the Two Sicilies: A Personal Narrative. By Charles Stuart Forbes, Commander, R.N.

Post 8vo, with Portraits, 12s.

"A volume which contains the best sketch hitherto published of the campaign which put an end to Bourbon rule in the Two Sicilies. It is accompanied with plans of the chief battles; and its honest unexaggerated record contrasts very favourably with the strained and showy account of the Garibaldians just published by M. Dumas."—Examiner.

Geological and Palæontological Map of the British

Islands, including Tables of the Fossils of the different Epochs, &c. &c., from the Sketches and Notes of Professor Edward Forbes. With Illustrative and Explanatory Letterpress. 218.

Earl's Dene. A Novel.

By R. E. Francillon. 3 vols. post 8vo, 3rs. 6d.

A Dictionary of the Gaelic Language,

Comprising an ample Vocabulary of Gaelic Words, and Vocabularies of Latin and English Words, with their Translation into Gaelic, to which is prefixed a Compendium of Gaelic Grammar. Compiled and published under the Direction of the Highland Society of Scotland. 2 vols. quarto, cloth, £5, 5s.

The Novels of John Galt.

Annals of the Parish.

The Provost.

Sir Andrew Wylie.

The Entail, or the Lairds of Grippy. 4 vols. fcap. 8vo, 2s. each.

The Gardener:

A MAGAZINE OF HORTICULTURE AND FLORICULTURE. Edited by David Thomson, Author of 'A Practical Treatise on the Culture of the Pine-Apple,' 'The Handy Book of the Flower-Garden,' &c.; Assisted by a Staff of the best practical Writers. Published Monthly, 6d.

Publications of the General Assembly of the Church of Scotland.

1.—Family Prayers.

Authorised by the General Assembly of the Church of Scotland. A New Edition, crown 8vo, in large type. 4s. 6d.

ANOTHER EDITION, crown 8vo. 2s.
2.—Prayers for Social and Family Worship.
For the Use of Soldiers, Sailors, Colonists, and Sojourners in India, and other persons, at home and abroad, who are deprived of the ordinary services of a Christian Ministry. Second Edition, crown 8vo, 4s. Cheap Edition, 1s. 6d.

3.—The Scottish Hymnal

HYMNS FOR PUBLIC WORSHIP, Published for Use in Churches by Authority of the General Assembly.

VARIOUS SIZES-VIZ.:

- 1. Large type, cloth, red edges, 1s. 6d.; French morocco, 2s. 6d.; calf, 6s.
- 2. Bourgeois type, cloth, red edges, 1s.; French morocco, 2s.

 Minion type, limp cloth, 6d.; French morocco, 1s. 6d.
 School Edition, in paper cover, 2d.
 No. 1, bound with the Psalms and Paraphrases, cloth, 3s.; French morocco, 4s. 6d.; calf, 7s. 6d. No. 2, bound with the Psalms and Paraphrases, cloth, 2s.; French

morocco, 3s.

4.—The Scottish Hymnal, with Music.

Selected by the Committees on Hymns and on Psalmody. The harmonies arranged by W. H. Monk, cloth, 1s. 6d.; French morocco, 3s. 6d. The same in the Tonic Sol-fa Notation, 1s. 6d. and 3s. 6d.

The Principles and Practice of the Law of Trusts and Trustes in Scotland, with Notes and Illustrations from the Law of England. By Charles Forsyth, Esq., Advocate and Barrister-at-Law. 8vo, 18s.

Idylls and Lyrics.

By William Forsyth, Author of 'Kelavane,' &c. Crown 8vo, 5s.

"This is a little volume of unpretending but genuine poetry."—Standard.

"Good poetry is not so common a commodity nowadays that it should be passed over without special mark. When found, it should be brought to light that it may be admired. It is for this reason that special attention is here called to a little volume of 'Idylls and Lyrics,' by Mr William Forsyth. . . . Mr Forsyth is a poet. There is genuine music in almost every line he writes. He sees what most men fail to see; he hears what most men fail to hear; and he writes with a felicity of style that few men can equal. In all this volume there is scarcely a page which does not teem with beauties—all the more beautiful that while they want not in vigour and in fineness of perception, they are simple and clear to every reader."—Scotsman.

Introductory Addresses

Delivered at the Opening of the University of Glasgow, Session 1870-71. With a Prefatory Notice of the new Buildings by Professor Allan Thomson, M.D.; and Photograph of the University. Small 4to, 4s. 6d.; small Paper Edition without Photograph, 2s. 6d.

The Subaltern.

By G. E. Gleig, M.A., Chaplain-General of Her Majesty's Forces. Originally published in 'Blackwood's Magazine.' Library Edition. Revised and Corrected, with a New Preface. Crown 8vo, 7s. 6d.

"Originally published in 'Blackwood's Magazine' in 1825, it was at once received with favour, and the present generation of readers will no doubt endorse the verdict of their fathers, and find pleasure in reading Mr Gleig's faithful and picturesque account of his boyish campaign. The volume, though as interesting as any novel, is in all respects the actual record of its author's own experience, and it is in fact the day-to-day journal of a young officer who embarked at Dover with his battalion in 1873, joined Lord Wellington's army a few days before the storming of San Sebastian, just as the French, under Soult, were being driven back through the Pyrenees on to their own soil, and had his share of the fighting on the Bidassoa. . . . We must not omit to notice the new preface which gives an additional interest to the present issue of 'The Subaltern,' and which recounts the present-day aspect of the tract of country where were fought the last battles of the Peninsular War. There is something touching in the old clergyman thus going over the ground he trod sixty years ago as a young soldier, full of military ardour, and recognising the cities and the soil on which were acted the glorious and unforgotten scenes in which he bore a hero's part."—The Times.

On the Influence exerted by the Mind over the Body, in the Production and Removal of Morbid and Anomalous Conditions of the Animal Economy. By John Glen, M.A. Crown 8vo, 2s. 6d.

Goethe's Faust.

Translated into English Verse by Theodore Martin. Second Edition, post 8vo, 6s.

Cheap Edition, fcap., 3s. 6d.

"The best translation of 'Faust' in verse we have yet had in England."-Spectator.

"Mr Theodore Martin's translation is unquestionably the best in the language, and will give to English readers a fair idea of the greatest of modern poems."-Press.

Poems and Ballads of Goethe.

Translated by Professor Ayton and Theodore Martin. Second Edition,

"There is no doubt that these are the best translations of Goethe's marvel-lously-cut gems which have yet been published."—The Times.

A Walk across Africa;

Or, Domestic Scenes from my Nile Journal. By James Augustus Grant, Captain H.M. Bengal Army, Fellow and Gold Medallist of the Royal Geographical Society. 8vo, with Map, 15s.

"Captain Grant's frank, manly, unadorned narrative."—Daily News.

"Captain Grant's book will be doubly interesting to those who have read Captain Speke's. He gives, as his special contribution to the story of their three years walk across Africa, descriptions of birds, beasts, trees, and plants, and all that concerns them, and of domestic scenes throughout the various regions. The book is written in a pleasant, quiet, gentlemanly style, and is characterised by a modest tone. . . . The whole work is delightful read-

Memoirs and Adventures of Sir William Kirkaldy

of Grange, Governor of the Castle of Edinburgh for Mary Queen of Scots. By James Grant. Post 8vo, 10s. 6d.

"It is seldom, indeed, that we find history so written, in a style at once vigorous, perspicuous, and picturesque. The author's heart is thoroughly with his subject."—Blackwood's Magazine.

Memoirs and Adventures of Sir John Hepburn, Marshal of France under Louis XIII., &c. By James Grant. Post

8vo, 8s.

Memorials of the Castle of Edinburgh.

By James Grant. A New Edition. In crown 8vo, with 12 Engravings, 3s. 6d.

"Of the different books of this nature that have fallen in our way, we do not remember one that has equalled Mr Grant's 'Memorials of the Castle of Edinburgh."—Spectator.

Symbolism;

OR, MIND, MATTER, AND LANGUAGE AS THE NECESSARY ELEMENTS OF THINKING AND REASONING. By James Haig, M.A. Crown 8vo,

"The book is in reality a popular exposition of philosophy and philosophical systems expressed in the clearest language. . . . The author occasionally displays considerable originality and ingenuity in his investigations. . . . He seems to suggest that philosophy and theology should go hand in hand. . . . Here we must take leave of this sturdy thinker with some admiration of his bold ideas and careful research. . . . The general reader will gather with little trouble from his pages some of the flowers of philosophical literature."

Wenderholme:

-Rxaminer.

A STORY OF LANCASHIRE AND YORKSHIRE LIFE. By Philip Gilbert Hamerton, Author of 'A Painter's Camp,' &c. 3 vols. post 8vo, £1, 115. 6d.

Lectures on Metaphysics.

By Sir William Hamilton, Bart., Professor of Logic and Metaphysics in the University of Edinburgh. Edited by the Rev. H. L. Mansel, B.D., LL.D., Dean of St Paul's; and John Veitch, M.A., Professor of Logic and Rhetoric, Glasgow. Fifth Edition. 2 vols. 8vo, 24s.

Lectures on Logic.

By Sir William Hamilton, Bart. Edited by Professors Mansel and Veitch. Second Edition. In 2 vols., 24s.

Discussions on Philosophy and Literature,

EDUCATION, AND UNIVERSITY REFORM. By Sir William Hamilton, Bart. Third Edition. 8vo, 215.

Memoir of Sir William Hamilton, Bart.,

Professor of Logic and Metaphysics in the University of Edinburgh. By Professor Veitch of the University of Glasgow. 8vo, with Portrait, 18s.

- "No better piece of philosophical biography has hitherto been produced in is country."—North British Review. this country.'
- "Professor Veitch has succeeded in blending the domestic with the intellectual life of Sir W. Hamilton in one graphic picture, as biographers rarely do succeed."—Saturday Review.
- "Hamilton's was a heroic life, and Professor Veitch has told it affectionately, truly, and well."—Pall Mall Gazette.

Annals of the Peninsular Campaigns.

By Captain Thomas Hamilton. A New Edition Edited by F. Hardman, 8vo, 16s. Atlas of Maps to illustrate the Campaigns, 12s.

Men and Manners in America.

By Captain Thomas Hamilton. With Portrait of the Author. Fcap., 7s. 6d.

The Operations of War Explained and Illustrated.

By Edward Bruce Hamley, Colonel in the Royal Artillery, Companion of the Bath, Commandant of the Staff College, &c. 3d Edition, 4to, with numerous Illustrations, 30s,

"Colonel Hamley's treatise on the 'Operations of War' is, we do not hesitate to say, the best that has been written in the English language."—The Times.

"On all matters relating to the practice of the profession it forms the most perfect book of reference that has been published."—United Service Magazine.

The Story of the Campaign of Sebastopol.

Written in the Camp. By Col. E. Bruce Hamley. With Illustrations drawn in Camp by the Author. 8vo, 21s.

"We strongly recommend this 'Story of the Campaign' to all who would gain a just comprehension of this tremendous struggle. Of this we are perfectly sure, it is a book unlikely to be ever superseded. Its truth is of that simple and startling character which is sure of an immortal existence; nor is it paying the gallant Author too high a compliment to class this masterpiece of military history with the most precious of those classic records which have been bequeathed to us by the great writers of antiquity who took part in the wars they have described."—The Press.

Wellington's Career;

A Military and Political Summary. By Col. E. Bruce Hamley. Crown 8vo. 2s.

Lady Lee's Widowhood.

By Col. E. Bruce Hamley. Crown 8vo, 2s. 6d.

"A quiet humour, an easy, graceful style, a deep, thorough, confident knowledge of human nature in its better and more degrading aspects, a delicate and exquisite appreciation of womanly character, an admirable faculty of description, and great tact, are the qualities that command the reader's interest and respect from beginning to end of 'Lady Lee's Widowhood."—The Times.

Our Poor Relations.

A Philozoic Essay. By Col. E. Bruce Hamley. With Illustrations, chiefly by Ernest Griset. Crown 8vo, cloth gilt, 3s. 6d.

"This is a charming little book, such as may be read through in half an hour; nor would it be easy to spend half an hour more pleasantly, or indeed to more profit. Slowly, very slowly indeed, but still by a sure progress, we are struggling out of the merely selfish and masterful view of the relations between ourselves and the lower animals; and Colonel Hamley's Essay, with its wide, kindly sympathies and delicate fancy, will help it on."—Spectator.

The Position on the Alma.

In Seven Sketches from the Field on the Day after the Battle. By Col. E. Bruce Hamley. Cloth, 5z.

A New Sea and an Old Land;

Being Papers suggested by a Visit to Egypt at the end of 1869. By General W. G. Hamley. 8vo, with coloured Illustrations, ros. 6d.

"Such are the contrasts the book deals with, handling them in a style that is not only pleasant but picturesque; and those who care to have ancient Egypt made easy will attain their object with the smallest possible expenditure of temper and trouble by placing themselves under his guidance."—Saturday Review.

Handy Book of Laws

CHIEFLY AFFECTING SCOTLAND. Abridged and plainly stated for general use. By an Ex-Sheriff-Substitute. Sewed, 6d.

The Handy Horse-Book;

Or, Practical Instructions in Riding, Driving, and the General Care and Management of Horses. By "Magenta." A New Edition, with 6 Engravings, 4s. 6d.

"As cavalry officer, hunting horseman, coach-proprietor, whip, and steeple-chase-rider, the author has had long and various experience in the management of horses, and he now gives us the cream of his information."—Athenæum. "He propounds no theories, but embodies in simple untechnical language what he has learned practically."—Sporting Gazette.

A Glossary of Navigation.

Containing the Definitions and Propositions of the Science, Explanation of Terms, and Description of Instruments. By the Rev. J. B. Harbord, M.A., Assistant Director of Education, Admiralty. Crown 8vo. Illustrated with Diagrams, 6s.

Definitions and Diagrams in Astronomy and Navigation. By the Rev. J. B. Harbord, M.A. 1s. 6d.

Short Sermons for Hospitals and Sick Seamen.
By the Rev. J. B. Harbord, M.A. Fcap. 8vo, cloth, 4s. 6d.

Scenes and Adventures in Central America.
Edited by Frederick Hardman. Crown 8vo, 6s.

Poems. By the Lady Flora Hastings.

Edited by Her Sister, the late Marchioness of Bute. Second Edition, with a Portrait. Fcap., 7s. 6d.

Works of D. R. Hay, F.R.S.E.

- A Nomenclature of Colours applicable to the Arts and Natural Sciences, to Manufactures, and other purposes of General Utility. 228 examples of Colours, Hues, Tints, and Shades. 8vo, £3, 3s.
- The Laws of Harmonious Colouring. Adapted to Interior Decorations; with Observations on the Practice of House-Painting. Post 8vo, 6s. 6d.
- The Geometric Beauty of the Human Figure Defined. To which is prefixed a System of Æsthetic Proportion. Applicable to Architecture and the other Formative Arts. 16 Plates. Royal 4to, 30s.
- The Harmonic Law of Nature applied to Architectural Design. 8 Plates. Royal 8vo, boards, 2s. 6d.
- The Orthographic Beauty of the Parthenon referred to a Law of Nature. 12 Plates. Royal 8vo, sewed, 5s.
- The Natural Principles of Beauty, as developed in the Human Figure. 5 Plates. Royal 8vo, sewed, 5s.
- The Science of Beauty, as developed in Nature, and applied in Art. 23 Plates. Royal 8vo, cloth, ros. 6d.
- The Natural Principles and Analogy of the Harmony of Form. 18 Plates and numerous Woodcuts. 4to, 15s.
- Proportion, or the Geometric Principle of Beauty analysed. 17 Plates and 38 Woodcuts. 4to, 25s.
- Original Geometrical Diaper Designs. Accompanied by an Attempt to develop and elucidate the true Principles of Ornamental Design, as applied to the Decorative Arts. 57 Plates and numerous Woodcuts. Oblong folio, 42s.
- The Principles of Beauty in Colouring Systematised. 14 Coloured Diagrams. 2d Edition. 8vo, 15s.
- First Principles of Symmetrical Beauty. 100 Plates. Post 8vo, 6s.
- On the Science of those Proportions by which the Human Head and Countenance, as represented in ancient Greek Art, are distinguished from those of ordinary Nature. 25 Plates. Royal 4to, 36s.

The Works of the Right Rev. Bishop Hay, of Edinburgh. Together with a Memoir of the Author, and Portrait

of Edinburgh. Together with a Memoir of the Author, and Portrait engraved from the Painting at the College of Blairs. Edited under the supervision of the Right Rev. Bishop Strain. A New Edition, in 5 vols. Crown 8vo, 21s.

[&]quot;Able and original work."-London Scotsman.

[&]quot;There is a good deal of original thought in this work. . . . There is hardly a chapter which does not contain something that may be termed suggestive."—John Bull.

Bishop Hay on Miracles.

The Scripture Doctrine of Miracles Displayed, in which they are impartially examined and explained, according to the Light of Revelation and the Principles of Sound Reason. By the Right Rev. Dr George Hay, Bishop of Edinburgh, 2 vols. crown 8vo, 10s. 6d.

The Poems of Felicia Hemans.

Complete in One Volume, Royal 8vo, with Portrait by Finden, Cheap Edition, 5s. Another Edition, with Memoir by her Sister, Seven Volumes, fcap., 35s. Another Edition, in Six Volumes, cloth, gilt edges, 15s. The same 6 vols. bound in 3, 12s. 6d., or cloth, extra gilt edges, 15s.

The following Works of Mrs Hemans are sold separately, bound in cloth, gilt edges, 4s. each :-RECORDS OF WOMAN. DRAMATIC WORKS.

TALES AND HISTORIC SCENES.

MORAL AND RELIGIOUS POEMS.

Select Poems of Mrs Hemans.

In One Vol., fcap. 8vo, 3s.

FOREST SANCTUARY.

SONGS OF THE AFFECTIONS.

Memoir of Mrs Hemans.

By her Sister. With a Portrait, fcap. 8vo, 5s.

The Practice in the Several Judicatories of the Church of Scotland. By Alexander Hill, D.D. Sixth Edition, Revised and Enlarged. Fcap. 8vo, 4s.

A Book about Roses,

HOW TO GROW AND SHOW THEM. By S. Reynolds Hole, Author of 'A Little Tour in Ireland.' Fourth Edition, Enlarged. Crown 8vo, 7s. 6d.

"It is the production of a man who boasts of thirty 'all England' cups, whose Roses are always looked for anxiously at flower-shows, who took the llon's share in originating the first Rose-show pur et simple, whose assistance as judge or amicus curia is always courted at such exhibitions. Such a man ought to have something to say worth hearing to those who love the Rose, and he has said it."—Gardeners' Chronicle. "We cordially recommend the book to every amateur who wishes to grow Roses as at once the pleasantest and the best yet written on the subject."-

"A very captivating book, containing a great deal of valuable information about the Rose and its culture, given in a style which cannot fail to please."

Journal of Horticulture.

The Six of Spades:

A Book about the Garden and the Gardener. By the Rev. S. Reynolds Hele, Author of 'A Book About Roses,' &c. Crown 8vo, 52.

Homer's Odyssey and Iliad.

Translated into English Verse in the Spenserian Stanza. By P. S. Wors ley, M.A., Fellow of Corpus Christi College, Oxford; and John Conington, M.A., Corpus Professor of Latin in the University of Oxford. 4 vols. crown 8vo, 39s.

"If the translator has produced a work which, having caught the spirit of the poem, can delight those to whom the original is a sealed book, he can de-He has placed in the hands of English readers a poem which deserves to outlive the present generation."—Edinburgh Review.

"We assign it, without hesitation, the first place among existing English translations."—Westminutes Penico.

translations."- Westminster Review.

The Odes and Epodes of Horace,

A Metrical Translation into English, with Latin Text, Introduction, and Commentaries. By Lord Lytton. Crown 8vo, 14s.

Mary Queen of Scots

AND HER ACCUSERS. By John Hosack, Barrister-at-Law. This work contains the 'Book of Articles' produced against Queen Mary at Westminster, which has never hitherto been printed. A New and Enlarged Edition, with a Photograph from the Bust on the Tomb in Westminster Abbey. Vol. I., 8vo, 15s.

"A careful study of Mr Hosack's book will show that he has explicitly or implicitly answered every one of the fifteen arguments in the famous Note L. of Hume's History of this reign."—Quarterly Review.

"Whatever surmises may be formed about Mary's knowledge or assent, there can now be no doubt that the murder was contrived, not by Mary, but by her accusers."—Scotsman.

"He has confuted those who, by brilliant writing and a judicious selection of evidence, paint the Queen of Scots as an incarnate fiend, and who are dramatic poets rather than historians."—The Times.

A Treatise on the Conflict of Laws of England and Scotland. By John Hosack, of the Middle Temple, Barrister-at-Law. 8vo, 10s. 6d.

Decisions of the Court of Session, 1781-1822. Collected by David Hume, Esq., Professor of the Law of Scotland in the

University of Edinburgh. 4to, boards, £3, 3s.

Ballads from the German. By Henry Inglis. Fcap. 8vo, 5s.

Marican, and other Poems. By Henry Inglis. 8vo, 8s.

The Law of Creeds in Scotland.

A Treatise on the Legal Relation of Churches in Scotland, Established and not Established, to their Doctrinal Confessions. By A. T. Innes. 8vo, cloth, 155.

Historical Record of the 79th Regiment of Foot, OR CAMERON HIGHLANDERS. By Captain Robert Jameson, H.P. Depot Battalion, late Quartermaster 79th Highlanders. Crown 8vo, 7s. 6d.

The Mother's Legacie to her Unborne Childe.

By Mrs Elisabeth Joceline. Edited by the Very Rev. Principal Lee. Cloth, gilt edges, 32mo, 4s. 6d. Also in morocco antique, 8s. 6d.

"This beautiful and touching Legacie."-Athenœum.

"A delightful monument of the piety and high feeling of a truly noble mother."-Morning Advertiser.

The Scots Musical Museum.

Consisting of upwards of Six Hundred Songs, with proper Basses for the Pianoforte. Originally published by James Johnson; and now accompanied with Copious Notes and Illustrations of the Lyric Poetry and Music of Scotland, by the late William Stenhouse; with additional Notes and Illustrations, by David Laing and C. K. Sharp. 4 vols. 8vo, Roxburghe binding, £2, 128. 6d.

The Royal Atlas of Modern Geography.

In a Series of entirely Original and Authentic Maps. By A. Keith Johnston, F.R.S.E., F.R.G.S., Author of the 'Physical Atlas,' &c. With a complete Index of easy reference to each Map, comprising nearly 150,000 Places contained in this Atlas. Imperial Folio, half-bound in russia or morocco, £5, 15s. 6d.; or with General Index in a separate volume, 8vo, both half-bound morocco, £6, 10s. Each Plate may be had separately with its Index, 3s. Dedicated by special permission to Her Majesty.

"Of the many noble atlases prepared by Mr Johnston and published by Messrs Blackwood and Sons, this Royal Atlas will be the most useful to the public, and will deserve to be the most popular."—Athenæum.

"We know no series of maps which we can more warmly recommend. The

accuracy, wherever we have attempted to put it to the test, is really astonishing."—Saturday Review.

ing."—Saturday Review.
"The culmination of all attempts to depict the face of the world appears in the Royal Atlas, than which it is impossible to conceive anything more perfect."

"This is, beyond question, the most splendid and luxurious, as well as the most useful and complete, of all existing atlases."-Guardian.

"An almost daily reference to, and comparison of, it with others, since the publication of the first part some two years ago until now, enables us to say, without the slightest hesitation, that this is by far the most complete and authentic atlas that has yet been issued."- Scotsman.

The Handy Royal Atlas.

45 Maps clearly printed and carefully coloured, with General Index. By A. Keith Johnston, F.R.S.E., F.R.G.S., &c. Imp. 4to, £2, 12s. 6d., half-bound morocco.

This work has been constructed for the purpose of placing in the hands of the public a useful and thoroughly accurate ATLAS of Maps of Modern Geography, in a convenient form, and at a moderate price. It is based on the 'ROYAL ATLAS,' by the same Author; and, in so far as the scale permits, it comprises many of the excellences which its prototype is acknowledged to possess. The aim has been to make the book strictly what its name implies, a HANDY ATLAS—a valuable substitute for the 'Royal,' where that is too bulky or too expensive to find a place, a needful auxiliary to the junior branches of families, and a vale mecum to the tutor and the pupil-teacher.

"This is Mr Keith Johnston's admirable Royal Atlas diminished in bulk and scale, so as to be, perhaps, fairly entitled to the name of "Handy," but still not so much diminished but what it constitutes an accurate and useful general Atlas for ordinary households."—Spectator.

"The 'Handy Atlas' is thoroughly deserving of its name. Not only does it contain the latest information, but its size and arrangement render it perfect as a book of reference."—Standard.

Keith Johnston's School Atlases.

Atlas of General and Descriptive Geography. A New and Enlarged Edition, suited to the best Text-Books; with Geographical information brought up to the time of publication. 26 Maps, clearly and uniformly printed in colours, with Index. Imperial 8vo, half-bound, 12s. 6d.

Atlas of Physical Geography, illustrating, in a Series of Original Designs, the Elementary Facts of Geology, Hydrography, Meteorology, and Natural History. A New and Enlarged Edition, containing 4 new Maps and Letterpress. 20 Coloured Maps. Imperial 8vo, half-bound, 12s. 6d.

Atlas of Astronomy. A New and Enlarged Edition, 21 Coloured Plates. With an Elementary Survey of the Heavens, designed as an accompaniment to this Atlas, by **Eobert Grant, LL.D.**, &c., Professor of Astronomy and Director of the Observatory in the University of Glasgow. Imperial 8vo, half-bound, 12s. 6d.

Atlas of Classical Geography. A New and Enlarged Edition. Constructed from the best materials, and embodying the results of the most Recent Investigations, accompanied by a complete INDEX OF PLACES, in which the proper quantities are given by T. Harvey and E. Worsley, MM.A. Oxon. 21 Coloured Maps. Imperial 8vo, half-bound, 12s. 6d.

"This edition is so much enlarged and improved as to be virtually a new work, surpassing everything else of the kind extant, both in utility and beauty."

—Athenæum.

Elementary Atlas of General and Descriptive Geography, for the Use of Junior Classes; including a MAP OF CANAAN and PALESTINE, with GENERAL INDEX. 8vo, half-bound, 5s.

Keith Johnston's School Atlases-OPINIONS OF THE PRESS.

"They are as superior to all School Atlases within our knowledge, as were the larger works of the same Author in advance of those that preceded them." -Educational Times.

"Decidedly the best School Atlases we have ever seen."-English Journal of Education.

of Education.

The Physical Atlas seems to us particularly well executed.

The last generation had no such help to learning as is afforded in these excellent elementary Maps. The Classical Atlas is a great improvement on what has usually gone by that name; not only is it fuller, but in some cases it gives the same country more than once in different periods of time. Thus it approaches the special value of a historical atlas.

The General Atlas is wonderfully full and accurate for its scale.

Finally, the Astronomical Atlas, in which Mr Hind is responsible for the scientific accuracy of the maps, supplies an admitted educational want. No better companion to an elementary astronomical treatise could be found than this cheap and convenient collection of maps."—Saturday Review.

The plan of these Atlases is admirable, and the excellence of the plan is rivalled by the beauty of the execution.

The best security for the accuracy and substantial value of a School Atlas is to have it from the hands of a man like our Author, who has perfected his skill by the execution of much

a man like our Author, who has perfected his skill by the execution of much larger works, and gained a character which he will be careful not to jeopardise by attaching his name to anything that is crude, slovenly, or superficial."-

Keith Johnston's Hand Atlases.

Being the Maps of the School Atlases on Large and Thick Paper, bound in half-morocco. Imperial quarto, 25s. each, -viz.,

General and Descriptive Geography

Physical Geography.

Astronomy.

Classical Geography.

Keith Johnston's Tourists' Maps.

(From the Royal Atlas), e	acn with	index,	in clot	h case	for the	pocke	t :-	-	
Scotland, two sheets,						£0	7	6	
Italy, two sheets, .	•					~ 0	8	0	
Switzerland, one sheet,	•					0	4	6	
The Shores of the Medi	terranear	, one s	heet,			0	į.	6	
The Canadas, two sheet	s, .					0	8	0	
Austria, two sheets, .	•					0	8	0	
Prussia, one sheet, .						0	4	6	
America (U.S.), two she	ets,					0	8	0	
America (South), two sh	eets,					ō	8	o	
Australia, one sheet,					_	o	4	6	
Belgium and the Nether	lands, or	ne shee	t		-	0	4	6	
China and Japan, one si				-		ō	7	6	
England, two sheets,		-	•	•		ŏ	ă	0	
India, two sheets.	i	:	•	•	•	0	8	0	
Ireland, one sheet, .		-	•	•	•	ŏ	4	ă	
Palestine, one sheet,		•	•	•	•	Š	7	š	
Spain and Portugal, one	sheet.	•	•	•	•	Š	7	ă	
Sweden and Norway of	ne sheet.		•	•	•	Š	7	2	

Map of Europe.

By A. Keith Johnston, F.R.S.E., F.R.G.S., Geographer to the Queen. The Map is fully coloured, and measures 4 feet 2 inches by 3 feet 5 inches. Price, mounted on Cloth and Mahogany Roller, varnished, 25s., or Folded in Quarto in a handsome Cloth Case, 21s.

Index Geographicus:

Being a List, Alphabetically arranged, of the Principal Places on the Globe, with the Countries and Subdivisions of the Countries in which they are situated, and their Latitudes and Longitudes. Compiled specially with reference to Keith Johnston's Royal Atlas, but applicable to all Modern Atlases and Maps. In 1 vol. Imperial 8vo, pp. 676, 21s.

Notes on North America:

Agricultural, Economical, and Social. By Professor J. F. W. Johnston. 2 vols. post 8vo, 21s.

"Professor Johnston's admirable Notes. . . . The very best manual for intelligent emigrants, whilst to the British agriculturist and general reader it conveys a more complete conception of the condition of these prosperous regions than all that has hitherto been written."—*Economist.*

The Chemistry of Common Life.

By Professor J. F. W. Johnston. With 113 Illustrations on Wood, and a Copious Index. 2 vols. crown 8vo, 11s. 6d.

"It is just one of those books which will best serve to show men how minute is the provision which has been made for human support, and that if the laws prescribed by Nature are duly observed, she, on her part, will see to it that her functions are performed with fidelity and success."—Durham Chronicle.

Professor Johnston's Elements of Agricultural Chemistry and Geology. A New Edition, revised and brought down to the Present Time. By G. T. Atkinson, B.A., F.C.S. Fcap., 6s. 6d.

Professor Johnston's Catechism of Agricultural
Chemistry. A New Edition. Edited by Professor Voelcker. With
Engravings. 1s.

Ex Eremo:

Poems chiefly written in India. By H. G. Keene. Crown 8vo, 6s.

The Invasion of the Crimea:

Its Origin, and an Account of its Progress down to the Death of Lord Raglan. By Alexander William Kinglake. Vols. I. and II., 32s., and Vols. III. and IV., 34s.

John Knox's Liturgy:

THE BOOK OF COMMON ORDER, AND THE DIRECTORY FOR PUBLIC WORSHIP OF THE CHURCH OF SCOTLAND. With Historical Introductions and Illustrative Notes by the Rev. George W. Sprott, B.A., and the Rev. Thomas Leishman, D.D. Handsomely printed, in imitation of the large editions of Andro Hart, on toned paper, bound in cloth, red edges, 8s. 6d.

"We heartily recommend Mr Sprott's Introduction to the 'Book of Common Order' to every one who wishes honestly to get the truth, and the whole truth, about the history, so far as Scotland is concerned, concerning a devotional formulary which has had so curious a destiny. This Introduction is full of learning, used with a candour that deserves all honour. In reading it we cannot find whether the author is a supporter or an opponent of a formulary of worship—he has undertaken the history of one book of that kind, and he tells it fairly out."—Scotsman.

On Primary Instruction in Relation to Education.

By Simon S. Laurie, A.M.; Author of 'Philosophy of Ethics, &c. Crown
8vo, 4s. 6d.

The Rural Economy of England, Scotland, and Ireland. By Leonce de Lavergne. Translated from the French. With Notes by a Scottish Farmer. In 8vo, 12s.

"One of the best works on the philosophy of agriculture and of agricultural political economy that has appeared."—Spectator.

Lectures on the History of the Church of Scotland, FROM THE REFORMATION TO THE REVOLUTION SETTLEMENT. By the late Very Rev. John Lee, D.D., LL.D., Principal of the University of Edinburgh. With Notes and Appendices from the Author's Papers. Edited by the Rev. William Lee, D.D. 2 vols. 8vo, 21s.

The Physiology of Common Life.

By George H. Lewes, Author of 'Sea-side Studies,' &c. Illustrated with numerous Engravings. 2 vols., 12s.

CONTENTS:—Hunger and Thirst—Food and Drink—Digestion and Indigestion—The Structure and Uses of the Blood—The Circulation—Respiration and Suffocation—Why we are warm, and how we keep so—Feeling and Thinking—The Mind and the Brain—Our Senses and Sensations—Sleep and Dreams—The Qualities we Inherit from our Parents—Life and Death.

Linda Tressel.

By the Author of 'Nina Balatka.' 2 vols. fcap. 8vo, 12s.

Doubles and Quits.

By Laurence Lockhart, late Captain 92d Highlanders. With Twelve Illustrations. In 2 vols. post 8vo, 21s.

Fair to See:

A Novel, By Laurence W. M. Lockhart, Author of 'Doubles and Quits.' New Edition in 1 vol. post 8vo, 6s.

"But politics are the smallest part of this very readable novel, the interest of which never flags, for the story is as full of 'situations' as a good play."—

"'Fair to See' is something better than a clever novel. It shows no little artistic power; and as you read it you feel that there is much more in the book than at first you fancied. . . . The scenes on the moors, in the barracks, and the ball-rooms are all dashed off by an expert. These are minor merits, but they go far towards assuring the success of a story which marks a decided advance on the author's first novel."—Pall Mall Gazette.

The Days of the Son of Man:

A HISTORY OF THE CHURCH IN THE TIME OF OUR LORD. By William Lee, D.D. Crown 8vo, 6s. 6d.

"Deserves high commendation. First, for the reverent common-sense which characterises its judgments; next, for the extensive and careful reading of the best authorities of which it is the result; also, for its admirable arrangement and lucidity; and lastly, for the succinctness which, without any sacrifice of completeness, presents us with a full view of the ministry of our Lord, its conditions of the succinctness which, without any sacrifice of completeness, presents us with a full view of the ministry of our Lord, its conditions of the succinctness which are the sacretistics. ditions, characteristics, and results, in so small a compass. . . . As a manual for family and school use the book is, we think, the very best that has come under our notice."—British Quarterly Review.

History of the Rise and Progress of Freemasonry

In Scotland. By David Murray Lyon, one of the Grand Stewards of the Grand Lodge of Scotland; Honorary Corresponding Member of the "Verein Deutscher Friemaurer," Leipzig, &c. &c. In small quarto. Illustrated with numerous Portraits of Eminent Members of the Craft, and Facsimiles of Ancient Charters and other curious Documents. £1, 10s.

Kenelm Chillingly.

His Adventures and Opinions. By the Author of 'The Caxtons,' &c. Three vols. crown 8vo, 31s. 6d.

Complete Library Edition of Lord Lytton's Novels.

In Volumes of a convenient and handsome form. Printed from a large and readable type. 43 vols. fcap. 8vo, 5s. each.

"It is of the handiest of sizes; the paper is good; and the type, which seems to be new, is very clear and beautiful. There are no pictures. The whole charm of the presentment of the volume consists in its handiness, and the tempting clearness and beauty of the type, which almost converts into a pleasure the mere act of following the printer's lines, and leaves the author's mind free to exert its unobstructed force upon the reader."—Examiner.

"Nothing could be better as to size, type, paper, and general getting-up."—

Walpole; or, Every Man has his Price.

A Comedy in Rhyme. By Lord Lytton. Fcap. 8vo, 5s.

The Boatman.

By Pisistratus Caxton. 8vo, sewed, 1s.

Works of the Rev. Thomas M'Crie, D.D.

Uniform Edition. Four vols. crown 8vo, 24s. Sold separately.

Life of John Knox. Containing Illustrations of the History of the Reformation in Scotland. Crown 8vo, 6s.

Life of Andrew Melville. Containing Illustrations of the Ecclesiastical and Literary History of Scotland in the Sixteenth and Seventeenth Centuries, Crown 8vo, 6s,

History of the Progress and Suppression of the Reformation in Italy in the Sixteenth Century. Crown 8vo, 4s.

History of the Progress and Suppression of the Reformation in Spain in the Sixteenth Century. Crown 8vo, 3s. 6d.

Sermons, and Review of the 'Tales of My Landlord.' In 1 vol. crown 8vo, 6s.

Lectures on the Book of Esther. Fcap. 8vo, 5s.

The Book of the Garden.

By Charles MIntosh, formerly Curator of the Royal Gardens of his Majesty the King of the Belgians, and lately of those of his Grace the Duke of Buccleuch, K.G., at Dalkeith Palace. In two large vols. royal 8vo, embellished with 1350 Engravings.

The work is divided into two great sections, each occupying a volume—the first comprising the formation, arrangement, and laying out of gardens, and the construction of garden buildings; the second treating of the theory and practice of horticulture. Sold separately—viz.:

Vol. I. On the Formation of Gardens and Construction of Garden Edifices. 776 pages, and 1073 Engravings, £2, 108.

Vol. II. PRACTICAL GARDENING. 868 pages, and 279 Engravings, £1, 175. 6d.

Studies in Roman Law.

With Comparative Views of the Laws of France, England, and Scotland. By Lord Mackenzie, one of the Judges of the Court of Session in Scotland. Second Edition, 8vo, 12s.

"We know not in the English language where else to look for a history of the Roman Law so clear, and at the same time so short. More improving reading, both for the general student and for the lawyer, we cannot well imagine; and there are few, even among learned professional men, who will not gather some novel information from Lord Mackenzie's simple pages."—London Review.

"This is, in many respects, one of the most interesting works that the legal press has issued in our time. . . . The explanation of the Roman Law, historical and expository—the 'Studies'—is admirably given, clear and simple, and yet very learned, and the whole work is conceived in a candid and liberal spirit, being, besides, distinguished by a calmness of tone eminently befitting the judicial pen."—Law Magazine and Review.

A Manual of Modern Geography,

Mathematical, Physical, and Political. By the Rev. Alexander Mackay LL.D., F.R.G.S. New and greatly Improved Edition. Crown 8vo, pp. 676, 7s. 6d.

This volume—the result of many years' unremitting application—is specially adapted for the use of Teachers, Advanced Classes, Candidates for the Civil Service, and proficients in geography generally.

Gems of German Poetry.

Translated by Lady John Manners. Small quarto, 3s. 6d.

Translations by Theodore Martin:

Goethe's Faust. Second Edition, crown 8vo, 6s. Cheap Edition, 3s. 6d.

The Odes of Horace. With Life and Notes. Second Edition. post 8vo, 9s.

Catullus. With Life and Notes. Post 8vo, 6s. 6d.

The Vita Nuova of Dante. With an Introduction and Notes. Second Edition, crown 8vo, 5s.

Alladin: A Dramatic Poem. By Adam Oehlenschlaeger. Fcap. 8vo, 5s.

Correggio: A Tragedy. By Oehlenschlaeger. With Notes. Fcap. 8vo, 3s.

King Rene's Daughter: A Danish Lyrical Drama. Henrik Herts. Second Edition, fcap., 2s. 6d.

The System of Field Manæuvres

Best adapted for Enabling our Troops to meet a Continental Army. Being the Wellington Prize Essay. By Lieutenant F. Maurice, Royal Artillery, Instructor of Tactics and Organisation, Royal Military College, Sandhurst. Third Edition, Crown 8vo, 58.

"We are prepared to say that this brilliant and most readable treatise clearly we are preferred to say that this brimant and most readable treatise clearly sets forth the momentous issues, and points out the direction in which not only military chiefs but statesmen must go, if our army is to be brought up to that standard which will permit it to enter war on a level, in excellence at least, with contemporary armies."—Spectator.

"No work, English or foreign, has treated this subject (infantry tactics) better than the 'Wellington Prize Essay."—Times.
"I Jewsen Manife may well ledies credit for having built up a work of

"Lieutenant Maurice may well claim credit for having built up a work of such living interest as his is, even to the layman, upon such a set of dry bones as the given thesis afforded,"—The Saturday Review.

Journal of the Waterloo Campaign:

Kept throughout the Campaign of 1815. By General Cavalie Mercer, Commanding the 9th Brigade Royal Artillery. 2 vols. post 8vo, 21s.

"No actor in the terrible scene ushered in by the following day has ever painted it in more vivid colours than the officer of artillery who led his troop into the very heart of the carnage, and escaped to write a book more real, more lifelike, more enthralling, than any tale of war it has ever been our lot to read."—Atheneum.

- Maxims of Sir Morgan O'Doherty, Bart.
 Originally published in Blackwood's Magazine. Cloth, is.
- The Life and Labours of the Apostle Paul.

 A continuous Narrative for School and Bible Classes. By Charles Michie,
 M.A., Author of an 'Outline of the Geography of Palestine.' 18., with a
 Map.
- A Manual of English Prose Literature,
 Biographical and Critical: designed mainly to show Characteristics of
 Style. By W. Minto, M.A. Crown 8vo, ros. 6d.
- Biographies of Eminent Soldiers of the last Four Centuries. By Major-General John Mitchell, Author of 'Life of Wallenstein,' 'The Fall of Napoleon,' &c. Edited, with a Memoir of the Author, by Leonhard Schmitz, LL.D. 8vo, 9s.
- Poetical Works of D. M. Moir (Delta).
 With Memoir by Thomas Aird, and Portrait. Second Edition. 2 vols. fcap. 8vo, 12s.
- Domestic Verses. By Delta. New Edition, fcap. 8vo, cloth gilt, 4s. 6d.
- Lectures on the Poetical Literature of the Past Half-Century. By D. M. Moir. Third Edition. Fcap. 8vo, 5s.
- Memoir of Count De Montalembert.
 - A Chapter of Recent French History. By Mrs Oliphant, Author of the 'Life of Edward Irving,' &c. In 2 vols. crown 8vo, £1, 4s.
- "Having a delightful subject, she has handled it in an altogether delightful way. . . . It is as good, full, and truthful a portrait of his life and character as could be desired, and while the skill of the author makes it as interesting as a novel, it may be read as an altogether trustworthy 'chapter of recent French history."—Examiner.
- French history.'"—Examiner.

 "It is to Mrs Oliphant that we owe the very beautiful English translation of the 'Monks of the West.' The author has written to her:—'What I must insist upon is—the exact reproduction of all the passages in my book, which, to you, must seem the most offensive to English and Protestant ears' (p. 336). And when it was completed, he bore witness to 'the good faith and straightforward equity of a most literal translation' (p. 337). We are happy to be able to say that Mrs Oliphant has shown equal 'good faith and straightforward equity' in translating the character of Count de Montalembert so as to make him known and appreciated by English readers. . . Would that all biographies were written in such good taste and in such a generous spirit!"—
 Tablet.
- "In its delicacy, in its fine insight and sympathy, no less than in its eloquence, Mrs Oliphant's 'Life of Montalembert,' with all its faults, will take high rank among standard English biographies."—The Nonconformist.

The Wedderburns and their Work;

Or, the Sacred Poetry of the Scottish Reformation in its Historical Relation to that of Germany. By Alexander F. Mitchell, D.D., Professor of Hebrew, St Andrews. Small quarto, 2s. 6d.

The Origin of the Seasons,

Considered from a Geological Point of View: showing the remarkable Disparities that exist between the Physical Geography and Natural Phenomena of the North and South Hemispheres. By Samuel Mossman. In crown 8vo, with Engravings, 10s. 6d.

A Geological Map of Europe,

Exhibiting the different Systems of Rocks according to the latest Researches, and from Inedited Materials. By Sir R. I. Murchison, D.C.L., P.B.S., &c., Director-General of the Geological Survey of Great Britain and Ireland; and James Nicol, F.R.S.E., F.G.S., Professor of Natural History in the University of Aberdeen. Constructed by Alex. Keith Johnston, F.R.S.E., &c., Geographer to the Queen, Author of the 'Physical Atlas,' &c. Scale Team of Nature, 76 miles to an inch. Four Sheets Imperial, beautifully printed in Colours. Size, 4 feet 2 inches by 3 feet 5 inches. In Sheets, £3, 3s.; in a Cloth Case, 4to, £3, 10s.

Manual of the Law of Insolvency and Bankruptcy: Comprehending a Treatise on the Law of Insolvency, Notour Bankruptcy, Composition Contracts, Trust Deeds, Cessios, and Sequestrations; with Annotations on the various Insolvency and Bankruptcy Stat-

utes; and with Forms of Procedure applicable to these subjects. By James Murdoch, Member of the Faculty of Procurators in Glasgow.

Catalogue of the Coleoptera of Scotland.

By Andrew Murray of Conland, W.S., Member of the Royal Physical Society of Edinburgh, of the Entymological Society of France, &c. Fcap. 8vo, cloth limp, 2s. 6d.

A Glance at some of the Principles of Comparative Philology. As illustrated in the Latin and Anglican Forms of Speech.

By the **Hon. Lord Neaves.** Crown 8vo, 1s. 6d.

"Lord Neaves's remarks, as well as his very clear and well-ordered display of the principles of the science, characterised by great modesty and simplicity, well deserve attention."—Pall Mall Gazette.

The Uses of Leisure:

Third Edition. 8vo, 16s.

An Address delivered to the Students of the School of Arts, Edinburgh. By the Hon. Lord Neaves, President of the School. Sewed, 6d.

On Fiction as a Means of Popular Teaching.

A Lecture. By the Hon. Lord Neaves. 6d.

The New "Examen:"

Or, An Inquiry into the Evidence of certain Passages in Macaulay's 'History of England' concerning the Duke of Marlborough, the Massacre of Glencoe, the Highlands of Scotland, Viscount Dundee, William Penn. By John Paget, Esq., Barrister-at-Law. In crown 8vo, 6s.

A Manual of Zoology,

For the Use of Students. With a General Introduction on the Principles of Zoology. By Henry Alleyne Nicholson, M.D., F.R.S.E., F.G.S., &c., Professor of Natural History in the University of Toronto. Second Edition. Crown 8vo, pp. 674, with 243 Engravings on Wood, 125. 6d.

"It is the best manual of zoology yet published, not merely in England, but in Europe."—Pall Mall Gazette, Yuly 20, 1871.
"The best treatise on Zoology in moderate compass that we possess."—

BY THE SAME AUTHOR.

Elementary Text-Book of Zoology for Schools. Second Edition. Crown 8vo. 2s. 6d.

Advanced Text-Book of Zoology. Crown 8vo, 6s.

Introduction to the Study of Biology.

By Henry Alleyne Nicholson, M.D., &c. Crown 8vo, with numerous Engravings, 5s.

"Admirably written and fairly illustrated, and brings within the compass of roo pages the record of investigations and discoveries scattered over as many volumes. Seldom indeed do we find such ubjects treated in a style at once so popular and yet so minutely accurate in scientific detail."—Scotsman.

A Manual of Palæontology,

For the Use of Students. By Henry Alleyne Nicholson, M.D., &c. Crown 8vo, with upwards of 400 Engravings, 15s.

Nina Balatka:

Lancet, May 18, 1872.

The Story of a Maiden of Prague. In 2 vols. small 8vo, 10s. 6d. cloth.

Piccadilly:

A Fragment of Contemporary Biography. By Laurence Oliphant. With Eight Illustrations by Richard Doyle. 4th Edition, 6s.

"The picture of 'Good Society'-meaning thereby the society of men and

women of wealth or rank—contained in this book, constitutes its chief merit, and is remarkable for the point and vigour of the author's style."—Athenæum.

"The real interest of 'Piccadilly' lies in the clever morceaux with which it is literally jewelled. They sparkle in every page. Mr Oliphant is one of the wittiest Jeremiahs of his time."—Pall Mall Gazette.

Narrative of Lord Elgin's Mission to China and

Japan. By Laurence Oliphant, Private Secretary to Lord Eigin. Illustrated with numerous Engravings in Chromo-Lithography, Maps, and Engravings on Wood, from Original Drawings and Photographs. Second Edition. In two vols. 8vo, 21s.

"The volumes in which Mr Oliphant has related these transactions will be read with the strongest interest now, and deserve to retain a permanent place in the literary and historical annals of our time."—Edinburgh Review.

Russian Shores of the Black Sea in the Autumn of 1852, with a Voyage down the Volga and a Tour through the Country of the Don Cossacks. By Laurence Oliphant. 8vo, with Map and other Illustrations. Fourth Edition, 148.

The Transcaucasian Campaign of the Turkish

Army under Omer Pasha: A Personal Narrative. By Laurence Oliphant.

With Map and Illustrations. Post 8vo, 10s. 6d.

Patriots and Filibusters;

or, Incidents of Political and Exploratory Travel. By Laurence Oliphant. Crown 8vo, 5s.

Historical Sketches of the Reign of George Second.

By Mrs Oliphant. Second Edition, in one vol., ros. 6d.

"Her aim has simply been, by means of judicious selection and careful and sympathetic painting, to form a portrait-gallery which shall illustrate the characters of a given age. We think that she has been, on the whole, very successful."—Saturday Review.

"Mrs Oliphant's Historical Sketches form two attractive volumes whose contents are happily arranged so as to bring out some of the sa'ient points at a period in our social history richly illustrated by epistolary and biographical remains."—Examiner.

"The most graphic and vigorous Historical Sketches which have ever been published. It is indeed difficult to exaggerate the interest which attaches to these two volumes, or the high literary merit by which they are marked."—John Bull.

John: A Love Story.

By Mrs Oliphant. 2 vols. post 8vo, 21s.

Brownlows.

By Mrs Oliphant. 3 vols. post 8vo, 31s. 6d.

The Athelings:

Or, The Three Gifts. By Mrs Oliphant. 3 vols. post 8vo, 31s. 6d.

Zaidee: A Romance.

By Mrs Oliphant. 3 vols. post 8vo, 31s. 6d.

Katie Stewart: A True Story.

By Mrs Oliphant. Fcap. 8vo, with Frontispiece and Vignette, 4s.

"A singularly characteristic Scottish story, most agreeable to read and pleasant to recollect. The charm lies in the faithful and lifelike pictures it presents of Scottish character and customs, and manners and modes of life."—
Tait's Magazine.

Chronicles of Carlingford.

By Mrs Oliphant.

Salem Chapel. 2s. in boards, or 2s. 6d. cloth.

The Perpetual Curate. 2s. in boards, or 2s. 6d. cloth.

Miss Marjoribanks. 2s. in boards, or 2s. 6d. cloth.

The Rector and the Doctor's Family. 1s. sewed, or 1s. 6d. cloth.

Modern Practical Cookery,

PASTRY, CONFECTIONERY, PICKLING, AND PRESERVING, WITH A GREAT VARIETY OF USEFUL RECEIPTS. By Mrs Nourse. Fcap. 8vo, boards, 5s. 6d.

Narratives of Voyage and Adventure.

By Sherard Osborn, C.B., Captain Royal Navy. 3 vols. crown 8vo, 17s. 6d., or separately:—

Stray Leaves from an Arctic Journal;

or, Eighteen Months in the Polar Regions in Search of Sir John Franklin's Expedition in 1850-51. To which is added the Career, Last Voyage, and Fate of Captain Sir John Franklin. New Edition, crown 8vo, 5s.

The Discovery of a North-West Passage by H.M.S. Investigator,
During the years 1850-51-52-53-54. Edited from the Logs and Journals
of Captain Robert C. M'Clure. Fourth Edition, crown 8vo, 5s.

Quedah; a Cruise in Japanese Waters; and, The Fight on the Peiho. New Edition, crown 8vo, 7s. 6d.

The Poems of Ossian

In the Original Gaelic. With a Literal Translation into English, and a Dissertation on the Authenticity of the Poems. By the Rev. Archibald Clerk. 2 vols. imperial 8vo, £1, 11s. 6d.

"The most thoughtful and able book in connection with Celtic literature that has appeared for a long time."—Perthshire Journal.

"We feel assured that the present work, by the well-condensed information it contains, by the honest translation of the Gaelic it gives, by the mere weight of its fair statements of fact, will do more to vindicate the authenticity of Caledonia's Bard from the pompous ignorance of Johnson, the envious spite of Pinkerton, the cold incredulity of Laing, and even the self-asserting vanity of Macpherson, than any champion that has yet appeared."—Glasgow Mail.

The Conquest of Scinde.

A Commentary. By General Sir James Outram, C.B. 8vo, 18s.

The Metamorphoses of Ovid.

Translated in English Blank Verse. By Henry King, M.A., Fellow of Wadham College, Oxford, and of the Inner Temple, Barrister-at-Law. Crown 8vo, 10s. 6d.

"Turning to Mr King's version of the poet's Metamorphoses, we have very much to say in its praise. He has given us by far the most elegant and trustworthy version of the Metamorphoses in the English language. Cordially do we commend this version of Ovid's Metamorphoses to our readers as by far the best and purest in our language."-Graphic.

An excellent translation."—Athenæum. "The execution is admirable. It is but scant and inadequate praise to say of it that it is the best translation of the Metamorphoses which we have. -Observer.

Our Domesticated Dogs:

Their Treatment in Reference to Food, Diseases, Habits, Punishment, Accomplishments, &c. By the Author of 'The Handy Horse-Book. 2s. 6d. bound in gilt cloth.

"How frequently do we hear ladies complain that just when their favourites come to know and love them, 'they are sure to die.' If instead of constantly cramming them with unwholesome food, they would follow the directions given in the pages before us, not only would the mortality be less, but the appearance and even the dispositions of their pets would be marvellously improved."-Land and Water.

Highway Law:

A Manual for the Use of Waywardens; Clerks, and Surveyors; to which are added Notes, Forms, Cases, and Statute; Hints as to Road-making, and a Complete System of the Accounts necessary to be kept. By Hiram A. Owston, Author of 'The Highway Act, 1862: Its Objects and Uses,' &c. Crown 8vo, 7s. 6d.

Introductory Text-Book of Geology.

By David Page, LL.D., Professor of Geology in the Durham University of Physical Science, Newcastle. With Engravings on Wood and Glossarial Index. Ninth Edition. 2s.

Advanced Text-Book of Geology,

Descriptive and Industrial. By David Page, LL.D. With Engravings and Glossary of Scientific Terms. Fifth Edition, Revised and Enlarged. 7s. 6d.

"We have carefully read this truly satisfactory book, and do not hesitate to say that it is an excellent compendium of the great facts of Geology, and written in a truthful and philosophic spirit."—*Edinburgh Philosophical Yournal*.

"As a school-book nothing can match the 'Advanced Text-Book of Geology' by Professor Page of Newcastle."—*Mechanic's Magazine*,

Handbook of Geological Terms, Geology ana Physical Geography. By David Page, LL.D. Second Edition, enlarged, 73. 6d.

Geology for General Readers.

A Series of Popular Sketches in Geology and Palæontology. By David Page, LL.D. Third Edition, enlarged, 6s.

"This is one of the best of Mr Page's many good books. It is written in a flowing popular style. Without illustration or any extraneous aid, the narrative must prove attractive to any intelligent reader."—Geological Magazine.

Chips and Chapters.

A Book for Amateurs and Young Geologists. By David Page, LL.D. 5s.

The Past and Present Life of the Globe.

With numerous Illustrations. By David Page, LL.D. Crown 8vo, 6s

The Crust of the Earth:

A Handy Outline of Geology. By David Page, LL.D. Sixth Edition, 1s.

Introductory Text-Book of Physical Geography. With Sketch-Maps and Illustrations. By David Page, LL.D. Fifth Edition, 2s.

Advanced Text-Book of Physical Geography.

By David Page, LL.D. With Engravings. 5s.

"A thoroughly good Text-Book of Physical Geography."—Saturday Review.

Spindrift.

By Sir J. Noel Paton. Fcap., cloth, 5s.

Poems by a Painter.

By Sir J. Noel Paton. Fcap., cloth, 5s.

An Essay on the National Character of the Athenians. By John Brown Patterson. Edited from the Author's revision, by Professor Pillans, of the University of Edinburgh. With a Sketch of his Life. Crown 8vo, 4s. 6d.

Essays in History and Art.

By R. H. Patterson. 8vo, 12s.

"A volume which no discerning reader will open only once. Fine appreciative taste, and original observation, are found united with range of thought and rare command over the powers of the English language."—Athenæum.

The Science of Finance.

A Practical Treatise. By R. H. Patterson, Member of the Society of Political Economy of Paris, Author of 'The Economy of Capital,' &c. Crown 8vo, 14s.

The Economy of Capital;

or, Gold and Trade. By R. H. Patterson, Author of 'The New Revolution,' &c. 12s., cloth.

It displays throughout a thorough acquaintance with our Monetary System, and is written in the lucid and graceful style which distinguishes Mr Patterson's works."—Morning Post.

"A very brilliant chapter of Mr Patterson's volume is devoted to the City, and to the business carried on therein. . . . We feel almost as if we heard the roar of the ceaseless traffic, and joined in the restless activity, as we read Mr Patterson's descriptions."—The British Quarterly Review.

Analysis and Critical Interpretation of the Hebrew

Text of the Book of Genesis. Preceded by a Hebrew Grammar, and Dissertations on the Genuineness of the Pentateuch, and on the Structure of the Hebrew Language. By the Rev. William Paul, A.M. 8vo, 18s.

Egypt, the Soudan, and Central Africa.

With Explorations from Khartoum on the White Nile to the Regions of the Equator. By John Petherick, F.E.G.S., Her Britannic Majesty's Consul for the Soudan. In 8vo, with a Map, 16s.

The Handy-Book of Bees,

AND THEIR PROFITABLE MANAGEMENT. By A. Pettigrew, Rusholme, Manchester. Crown 8vo, 4s. 6d.

"The author of this volume is evidently a practical man, and knows a great deal more about bees and their habits than most of the bee-keepers in England; indeed he may be said to be a very master in the art of bee mysteries."—Bell's Life in London.

Poems. By Isa.

Fcap. 8vo, cloth, 4s. 6d.

The Course of Time: A Poem.

By Robert Pollok, A.M. Small fcap. 8vo, cloth, gilt, 2s. 6d.
THE COTTAGE EDITION, 32mo, sewed, 1s. The Same, cloth, gilt edges, 1s. 6d. Another Edition, with Illustrations by Birket Foster and others, fcap. gilt cloth, 3s. 6d., or with edges gilt, 4s.

An Illustrated Edition of the Course of Time.

The Illustrations by Birket Foster, Tenniel, and Clayton. In large 8vo, bound in cloth, richly gîlt, 21s.

"Of deep and hallowed impress, full of noble thoughts and graphic conceptions—the production of a mind alive to the great relations of being, and the sublime simplicity of our religion."—Blackwood's Magazine.

The Port Royal Logic.

Translated from the French: with Introduction, Notes, and Appendix. By Thomas Spencer Baynes, LL.B., Professor in the University of St Andrews; Author of 'An Essay on the New Analytic of Logical Forms.' Seventh Edition, 12mo, 4s.

"Through his excellent translation of the Port Royal, his introduction and notes, Professor Baynes has rendered good service to logical studies in this country; for if the student desires to understand something of the rationale of the rules laid down in ordinary texts, he could not have recourse to a better work."—London Quarterly Review.

On the Priory of Inchmahome:

NOTES, HISTORICAL AND DESCRIPTIVE; with Introductory Verses, and an Appendix of Original Papers. By the Rev. Wm. M Gregor Stirling. 4to, with Plates, 31s. 6d.

Collection of Public General Statutes Affecting Scotland. Containing a Table of all the Public General Statutes, the

Scattana. Containing a Table of all the Public General Statutes, the Statutes affecting Scotland being printed entire, with a GENERAL INDEX, and Tables of all the General, Local, and Private Acts.

The Volumes are supplied at the following prices:—II° & 12° VICTORIÆ, 1848, 8vo., cloth boards, 5s.; 1849, 2s. 6d.; 1850, 5s. 6d.; 1857, 2s. 6d.; 1852, 2s. 6d.; 1853, 7s.; 1854, 4s. 6d.; 1855, 6s.; 1856, 6s. 6d.; 1857, 5s. 6d.; 1858, 5s.; 1859, 3s. 6.; 1860, 10s.; 1861, 6s.; 1862, 9s. 6d.; 1863, 6s.; 1864, 5s.; 1865, 4s.; 1866, 5s.; 1867, 9s.; 1868, 10s. 6d.; 1869, with General Index to all the Public Acts of Parliament relating to Scotland, 1800 to 1868, 9s. 6d; 1870, 8s.; 1871, 8s.; 1872, 8vo., cloth boards, 9s.

The Public Schools:

Winchester — Westminster — Shrewsbury — Harrow — Rugby. Notes of their History and Traditions. By the Author of 'Etoniana.' Crown 8vo, 8s, 6d.

"In continuation of the delightful volume about Eton, we have here, by the same author, a volume of gossip as delightful concerning five other public schools. Neither volume professes to be history, but it is history of the best sort."—Pall Mall Gasette.

Two Lectures on the Genius of Handel,

AND THE DISTINCTIVE CHARACTER OF HIS SACRED COMPOSITIONS. Delivered to the Members of the Edinburgh Philosophical Institution. By the Very Rev. Dean Ramsay, Author of 'Reminiscences of Scottish Life and Character.' In Crown 8vo, 3s. 6d.

An Historical View of the Law of Maritime Commerce. By James Reddie, Esq., Advocate. 8vo, 14s.

The Life of Carl Ritter.

Late Professor of Geography in the University of Berlin. By W. L. Gage. Crown 8vo, 7s. 6d.

Life of the late Rev. James Robertson, D.D.,

P.R.S.E., Professor of Divinity and Ecclesiastical History in the University of Edinburgh. By Professor Charteris. With Portrait. 8vo, 10s. 6d.

"This is a beautiful record of the life of a true man. . . . Mr Charteris has discharged the duty of biographer with fidelity and candour, with rare good taste, and an affectionate reverence. The memoir is worthy of its subject, and supplies one of the most interesting biographies which has seen the light for many a day."—Aberdeen Free Press.

The Geology of Pennsylvania:

A Government Survey; with a General View of the Geology of the United States, Essays on the Coal Formation and its Fossils, and a Description of the Coal-Fields of North America and Great Britain. By Professor Henry Darwin Rogers, F.R.S., F.G.S., Professor of Natural History in the University of Glasgow. With Seven large Maps, and numerous Illustrations engraved on Copper and on Wood. In Three Volumes, Royal 4to. 18. 8s.

A Visit to the Cities and Camps of the Confederate States. By Fitzgerald Ross, Captain of Hussars in the Imperial Austrian Service. Crown 8vo, 7s. 6d.

The War for the Rhine Frontier, 1870:

Its Political and Military History. By Col. W. Rustow, translated from the German, by John Layland Needham, Lieutenant R.M. Artillery. 3 vols. 8vo, with Maps and Plans, £1, 11s. 6d.

"Colonel Rustow is already well known as an able military writer, and the present work cannot fail to increase his reputation. He has given to the world a valuable book; and we honour him for his evident desire to be just. The military merits of the book are great; and the reader derives much advantage from the numerous maps interspersed throughout the three volumes. As to the translator, he has performed his task in a thoroughly satisfactory and

highly creditable manner.—Athenœum.

"The work is faithfully and intelligibly executed; and it is of importance that the work of one who was once himself a Prussian Officer, and who is confessedly one of the first military critics of the day, should be placed ready at hand for the perusal and consultation of that great mass of Englishmen who do not read German works in the original."—Saturday Review.

The St Andrews University Calendar.

Published yearly, price 1s. 6d.

Lord St Leonards' Handy Book on Property

Law. Eighth Edition. Revised and Enlarged, 5s.

"Seven large editions indicate the popularity which this admirable manual has obtained, not merely with the profession but with the public. It should be made a text-book in schools. It gives just as much of the law as every man ought to know, conveyed in a manner which every man can understand. This new edition has been considerably enlarged by the venerable author."—Law Times.

The Great Governing Families of England.

By J. Langton Sandford and Meredith Townsend. 2 vols., 8vo, 15s., in extra binding, with richly-gilt cover.

"In the 'Great Governing Families of England' we have a really meritorious compilation. The spirit in which it is conceived, the care expended on the collection and arrangement of the material out of which the various memoirs are fashioned, and the vigorous and sometimes picturesque statement which relieves the drier narrative portions, place it high above the ordinary range of biographical reference books."—Fortnightly Review. "Some of these sketches, of these family pictures, are admirably done, none of them are otherwise than well done. Anecdote and comment serve to relieve or explain the narrative of incidents. The book is, in its kind, a thoroughly satisfactory book, showing research, thought, and decision."—Westminster

St Stephens;

Review.

bourne)-Tierney-Lord Gray-O'Connell-Plunkett-Shiel-Follett-Macaulay-Peel. Second Edition. Crown 8vo, 5s.

Or, Illustrations of Parliamentary Oratory. A Poem. Comprising-Pym -Vane-Strafford-Halifax-Shaftesbury-St John-Sir R. Walpole-Chesterfield—Carteret—Chatham—Pitt—Fox—Burke—Sheridan—Wilberforce-Wyndham-Conway-Castlereagh-William Lamb (Lord Mel-

Lectures on the History of Literature. Ancient and Modern. By Frederick Schlegel. Translated by J. G. Lockhart. Fcap., 5s.

Physiology at the Farm.

In Aid of Rearing and Feeding the Live Stock. By William Seller,

M.D., F.R.S.E., Fellow of the Royal College of Physicians, Edinburgh, formerly Lecturer on Materia Medica and Dietetics; and Henry Stephens, F.R.S.E., Author of the 'Book of the Farm,' &c. Post 8vo, with Engravings, 16s.

The Passion Play in the Highlands of Bavaria. By Alexander Craig Sellar. Third Edition. Fcap., sewed, 1s.

A Treatise upon Breeding, Rearing, and Feeding, Cheviot and Black-faced Sheep in High Districts. By a Lammermoor Farmer. Crown 8vo, cloth, 2s. 6d.

Traverse Tables to Five Places, FOR EVERY 2' OF ANGLE UP TO 100 OF DISTANCE, By Robert Shortrede, F.R.A.S. Edited by Edward Sang, F.R.S.E. 8vo, 21s.

Sketches of French Life and Character.

Originally published in 'Blackwood's Magazine.'

[In the Press.

Italian Irrigation:

A Report on the Agricultural Canals of Piedmont and Lombardy, addressed to the Hon. the Directors of the East India Company; WITH AN AP-PENDIX, containing a Sketch of the Irrigation System of Northern and Central India. By Lieut.-Col. R. Baird Smith, F.G.S., Captain, Bengal Engineers. Second Edition. 2 vols. 8vo, with Atlas in folio, 3os.

Legends, Lyrics, and other Poems.

By B. Simmons. Fcap. 8vo, 7s. 6d.

Paris after Waterloo.

A Revised Edition of a "Visit to Flanders and the Field of Waterloo." By James Simpson, Advocate. With Two coloured Plans of the Battle. Crown 8vo, 5s.

Poems, Songs, and Ballads.

By James Smith. Third Edition. 5s.

"The collection is certainly a rich and remarkable one, containing many specimens of finely pathetic and descriptive verse, imbued with the true spirit of poetry and song,"—Scotsman.

"A most meritorious and enjoyable volume."—Courant.

Thorndale; or, the Conflict of Opinions.

By William Smith, Author of "A Discourse on Ethics," &c. Second Edition. Crown 8vo, 10s. 6d.

"Mr Smith has read deeply and accurately into human nature, in all its weaknesses, fancies, hopes, and fears. It is long since we have met with a more remarkable or worthy book. . . . We know few works in which there may be found so many fine thoughts, light-bringing illustrations, and happy turns of expression, to invite the reader's pencil."—Praser's Magazine.

Gravenhurst; or, Thoughts on Good and Evil.

By William Smith, Author of 'Thorndale,' &c. Crown 8vo, 7s. 6d "One of those rare books which, being filled with noble and beautiful thoughts, deserves an attentive and thoughtful perusal."—Westminster

**Review.

"Our space will only allow us to mention, in passing, the charming volume of subtle thought expressed in a graceful transparent style, which the author of 'Thorndale' has just issued under the title of 'Gravenhurst; or, Thoughts on Good and Evil.' . . We will simply recommend every reader, fond of thoughtful writing on the moral aspects of life, to carry 'Gravenhurst' with him into some delightful solitude."—*Cornhill Magasine.

A Discourse on Ethics of the School of Paley. By William Smith, Author of 'Thorndale.' 8vo, 4s.

Dramas by William Smith.

Author of 'Thorndale,' &c. 1. SIR WILLIAM CRICHTON. 2. ATHEL-WOLD. 3. GUIDONE. 24mo, boards, 3s.

Songs and Verses:

Social and Scientific. By an Old Contributor to 'Maga.' A New Edition, with Music of some of the Songs. Fcap. 8vo, 3s. 6d.

"The productions thrown off by this eccentric muse have all the merits of originality and variety. . . . He has written songs, not essays—such a hotch-potch of science and humour, jest and literature, gossip and criticism, as might have been served at the Noctes Ambrosianæ in the blue parlour at Ambrose's."-Saturday Review.

Poetical Works of Caroline Bowles Southey.

"In one of those well-bound, neatly printed, toned paper editions, in turning out which our leading publishers so laudably vie with each other, Messrs Blackwood have gathered up the precious remains of Caroline Bowles Southey. We call them precious advisedly, because they illustrate a style of authorship which is somewhat out of date, and has been superseded by other styles neither so natural nor so attractive to cultivated tastes. Caroline Bowles was nursed, so to speak, in the school of nature, taught with all the fostering care of home influence, and allowed to ripen in intellect and fancy amidst the varied charms of a country life."—The Churchman.

"We do not remember any recent custom when when

"We do not remember any recent author whose poetry is so unmixedly native; and this English complexion constitutes one of its characteristic charms. No purer model of our genuine home feeling and language."-Quarterly

The Birthday, and other Poems.

By Mrs Southey. Second Edition. 5s.

Chapters on Churchyards.

By Mrs Southey. Second Edition. Fcap. 8vo, 2s. 6d.

Robin Hood: a Fragment.

By the late Robert Southey and Caroline Southey. With other Fragments and Poems. Post 8vo, 8s.

What led to the Discovery of the Nile Source.

By John Hanning Speke, Captain H.M. Indian Army. 8vo, with Maps, &c., 145.

"Will be read with peculiar interest, as it makes the record of his travels complete, and at the same time heightens, if possible, our admiration of his indomitable perseverance, as well as tact."—Dispatch.

Journal of the Discovery of the Source of the Nile.

By J. H. Speke, Captain H.M. Indian Army. 8vo, 21s. With a Map of Eastern Equatorial Africa by CAPTAIN SPEKE; numerous illustrations. chiefly from Drawings by CAPTAIN GRANT; and Portraits, engraved on Steel, of CAPTAINS SPEKE and GRANT.

"The volume which Captain Speke has presented to the world possesses more than a geographical interest. It is a monument of perseverance, courage, and temper displayed under difficulties which have perhaps never been equalled."

—Times.

"Captain Speke has not written a noble book so much as he has done a noble deed. The volume which records his vast achievement is but the minor fact—the history of his discovery, not the discovery itself: yet even as a literary performance it is worthy of very high praise. It is wholly free from the traces of book manufacture.

It is, however, a great story that is thus plainly told; a story of which nearly all the interest lies in the strange facts related, and, more than all, in the crowning fact that it frees us in a large degree from a geographical puzzle which had excited the curiosity of mankind—of the most illustrious emperors and communities—from very early times."—Atheneum.

Villa Residences and Farm Architecture:

A Series of Designs. By John Starforth, Architect. 102 Engravings. Second Edition, medium 4to, £2, 17s. 6d.

The Statistical Account of Scotland.

Complete, with Index, 15 vols. 8vo, £16, 16s. Each County sold separately, with Title, Index, and Map, neatly bound in cloth, at the prices annexed, forming a very valuable Manual to the Landowner, the Tenant, the Manufacturer, the Naturalist, the Tourist, &c.

Aberdeen	d. 0 0 0 0 6 0 6 6 0 6 6 6 6 6 6 6 6 6 6	S. S. S.	d. 066 066666666666666666666666666666666
	- 1	5s. 6d.	0

The Book of Farm-Buildings;

THEIR ARRANGEMENT AND CONSTRUCTION. By Henry Stephens, F.B.S.E., Author of 'The Book of the Farm;' and Robert Scott Burn. Illustrated with 1045 Plates and Engravings. In 1 vol., large 8vo, uniform with 'The Book of the Farm,' &c. £1, 118. 6d.

The Book of the Farm,

Detailing the Labours of the Farmer, Farm-Steward, Ploughman, Shepherd, Hedger, Farm-Labourer, Field-Worker, and Cattleman. By **Henry Stephens**, F.R.S.E. Illustrated with Portraits of Animals painted from the life; and with 557 Engravings on Wood, representing the principal Field Operations, Implements, and animals treated of in the Work. A New and Revised Edition, the third, in great part Rewritten. 2 vols., large 8vo, £2, ros.

"The best practical book I have ever met with."—Professor Johnston.
"We assure agricultural students that they will derive both pleasure and profit from a diligent perusal of this clear directory to rural labour. We have thoroughly examined these volumes; but to give a full notice of their varied and valuable contents would occupy a larger space than we can conveniently devote to their discussion; we therefore, in general terms, commend them to the careful study of every young man who wishes to become a good practical farmer."—Times.

The Book of Farm Implements and Machines.

By J. Slight and R. Scott Burn, Engineers. Edited by Henry Stephens, F.B.S.E., Author of 'The Book of the Farm,' &c. In 1 vol., large 8vo, uniform with 'The Book of the Farm,' £2, 2s.

Catechism of Practical Agriculture.

By Henry Stephens, F.R.S.E., Author of 'The Book of the Farm.' With Engravings. 1s.

A Concise Hebrew Grammar;

with the Pronunciation, Syllabic Division and Tone of the Words, and Quantity of the Vowels. By the Rev. Duncan Stewart, B.A. 8vo, cloth, limp, 3s.

Advice to Purchasers of Horses.

By John Stewart, V.S. Author of 'Stable Economy.' 2s. 6d.

To the farmer, the sportsman, and all interested in obtaining a sound and well-conditioned animal, calculated either for work or pleasure, this work will be found to be eminently useful. It is the result of the experience of a first-rate authority on the subject.

Stable Economy.

A Treatise on the Management of Horses in relation to Stabling, Grooming, Feeding, Watering, and Working. By John Stewart, V.S. Seventh Edition, fcap. 8vo, 6s. 6d.

The Angler's Companion to the Rivers and Locks of Scotland. By T. T. Stoddart. With Map of the Fishing Streams and Lakes of Scotland. Second Edition. Crown 8vo, 3s. 6d.

Graffiti D'Italia.

By W. W. Story, Author of 'Roba di Roma.' Fcap. 8vo, 7s. 6d.

"As a sculptor's sketches in a kind of poetic neutral tint, they are of great

value, quite apart from their intrinsic value as poems."—Athenæum.
"In the present volume he has translated the marble for us into poetry Goethe used to say that sculpture was the most poetical of all the arts. And in a certain high transcendental sense he is perfectly right. Those who are interested in the question should certainly study the Cleopatra of Story in marble, and the Cleopatra as we find her translated in the present volume into verse."-

Etymological and Pronouncing Dictionary of the

English Language. Including a very Copious Selection of Scientific Terms. For Use in Schools and Colleges, and as a Book of General Reference. By the Rev. James Stormonth. The Pronunciation carefully Revised by the Rev. P. H. Phelp, M.A., Cantab. Crown 8vo, pp. 755. 7s. 6d.

The School Etymological Dictionary and Word-

Book. Combining the advantages of an ordinary pronouncing School Dictionary and an Etymological Spelling-book. By the Rev. James Stormonth. Fcap. 8vo, pp. 254. 2s.

Lives of the Queens of Scotland,

AND ENGLISH PRINCESSES CONNECTED WITH THE REGAL SUCCESSION OF GREAT BRITAIN. By Agnes Strickland. With Portraits and Historical Vignettes. 8 vols. post 8vo, £4, 4s.

"Every step in Scotland is historical; the shades of the dead arise on every side; the very rocks breathe. Miss Strickland's talents as a writer, and turn of mind as an individual, in a peculiar manner fit her for painting a historical gallery of the most illustrious or dignified female characters in that land of chivalry and song."—Blackwood's Magasine.

Agricultural Labourers,

AS THEY WERE, ARE, AND SHOULD BE, IN THEIR SOCIAL CONDI-TION. By the Rev. Harry Stuart, A.M., Minister of Oathlaw. 8vo, Second Edition, 18.

Lake Victoria.

A Narrative of Explorations in Search of the Source of the Nile. Compiled from the Memoirs of Captains Speke and Grant. By George C. Swayne, M.A., Late Fellow of Corpus Christi College, Oxford. Illustrated with Woodcuts and Map. Crown 8vo, 7s. 6d.

"Mr Swayne has admirably discharged his task, and has produced a very excellent and truly readable volume."—Daily News.
"The volume before us is a very readable one. We anticipate for it a wide

popularity."-London Review.

Handbook of Hardy Herbaceous and Alpine

Flowers, FOR GENERAL GARDEN DECORATION. Containing Descriptions, in Plain Language, of upwards of 1000 Species of Ornamental Hardy Perennial and Alpine Plants, adapted to all classes of Flower-Gardens, Rockwork, and Waters; along with Concise and Plain Instructions for their Propagation and Culture. By William Sutherland, Gardener to the Earl of Minto; formerly Manager of the Herbaceous Department at Kew. Crown 8vo, 7s. 6d.

"This is an unpretending but valuable work, well adapted to furnish information respecting a class of plants certainly rising in popular estimation. . . . We cordially recommend his book to the notice of our readers, as likely to be, from a gardening point of view, the standard work on Herbaceous Plants."—
Gardeners' Chronicle.
"The best book of its class available for English readers."—Gardeners'

Magazine.

Lays of the Deer Forest.

With Sketches of Olden and Modern Deer-Hunting, &c. By John Sobieski and Charles Edward Stuart. 2 vols. post 8vo, 21s.

The Jerusalem Delivered of Torquato Tasso. Translated by Col. Alex. Cunningham Robertson. Crown 8vo, 10s. 6d.

Tara: A Mahratta Tale.

By Captain Meadows Taylor. 3 vols. post 8vo, £1, 11s. 6d.

"A picture of Indian life which it is impossible not to admire. We have no hesitation in saying, that a more perfect knowledge of India is to be acquired from an attentive perusal and study of this work, than could be gleaned from a whole library."—Press.

The Greek Grammar of Thiersch.

Translated from the German, with brief Remarks. By Sir Daniel K. Sandford, M.A. Professor of Greek in the University of Glasgow. 8vo.

Hours of Christian Devotion.

Translated from the German of A. Tholuck, D.D., Professor of Theology in the University of Halle, and Councillor of the Supreme Consistory, Prussia. By the Rev. Robert Menzies, D.D. With a Preface written for this Translation by the Author. Crown 8vo, 9s.

"To many of these meditations tour or nive great texts are premised, and the reader feels that the gentle pressure of a powerful hand has crushed these sacred fruits, and handed him the fragrant wine of the kingdom in a golden goblet.

The abundance and variety of the material furnished in this condering render farther characterisation difficult. We are "To many of these meditations four or five great texts are prefixed, and goblet. The abundance and variety or the material reliable volume for quiet pondering render farther characterisation difficult. thankful for the introduction of this wise, thoughtful, helpful book in this dark, sad season." - British Quarterly Review.

Handy-Book of the Flower-Garden:

Being Practical Directions for the Propagation, Culture and Arrangement of Plants in Flower-Gardens all the year round. Embracing all classes of Gardens, from the largest to the smallest. With Engraved and Coloured Plans, illustrative of the various systems of Grouping in Beds and Borders. By David Thomson, Gardener to his Grace the Duke of Buccleuch, K.G., at Drumlanrig. A New and Enlarged Edition, crown 8vo, 7s. 6d.

"Its author is entitled to great praise for the simple and clear manner in which he has explained the cultural directions, which, if carefully complied with, will enable the non-professional dioriculturist to grow plants as well as any gardener."—Gardeners' Chronicle.

A Practical Treatise on the Culture of the Pine-Apple. By David Thomson. 8vo, 5s.

"The name of the author, one of the very best gardeners in the British Islands, guarantees that this volume contains no directions that are not sound and tested by experience."—Journal of Horticulture.
"The best work extant upon this important subject."—Gardeners' Magasine.

A Practical Treatise on the Cultivation of the Grape-Vine. By William Thomson, formerly Gardener to his Grace the Duke of Buccleuch, K.G., Dalkeith Park. Seventh Edition, Enlarged,

8vo, 5s. "We cannot too strongly recommend Mr Thomson's treatise as a thoroughly practical and sure guide to the cultivation of the vine." - Journal of Horticul-

"We urge our readers to procure the work, and they will get so clear an insight into vine-growing that a vinery will become one of the necessaries of existence."-Field.

A COMPANION VOLUME TO THE 'HANDY-BOOK OF THE FLOWER-GARDEN.'

The Handy-Book of Fruit Culture under Glass.

Being a series of Elaborate Practical Treatises on the cultivation and forcing of Pines, Vines, Peaches, Figs, Melons, Strawberries, and Cucumbers. With Engravings of hothouses, &c., most suitable for the cultivation of and forcing of these fruits. By David Thomson, author of 'Handy-Book of the Flower-Garden,' 'A Practical Treatise on the Culture of the Pine-Apple,' &c., in crown 8vo, with Engravings, 7s. 6d.

Introduction to Meteorology.

By David P. Thomson, M.D. Octavo, with Engravings, 10s.

Notes on the Pecuniary Interests of Heirs of Entail.

With Calculations regarding such Interests in reference to the Acts of Parliament affecting Entails, and Tables showing the values of Liferent Interests. By William Thomas Thomson, Fellow of the Institute of Actuaries, Manager of the Standard Life Assurance Company. 8vo, 1cs.

County Law, a Practical Treatise on the Functions, Qualifications and Duties of County Officials, Lords-Lieutenants, and

Conveners of Counties, Commissioners of Supply, Clerks of Supply, &c. &c. With special reference to the Acts of Parliament which they administer as members of Road Trusts, Prison Boards, Police Committees, Local Authorities, &c. By John Comrise Thomson, Esq., in 1 vol.

Ralph Darnell. A Novel.

By Captain Meadows Taylor. 3 vols. post 8vo, £1, 11s. 6d.

The Company and the Crown.

By the Hon. T. J. Hovell-Thurlow. Second Edition, corrected and revised. 8vo, 7s. 6d.

"Those who wish to understand what our work actually is in India, and how it is being done, will find an abundant store of information, both about persons and things, in Mr Thurlow's interesting pages."—Times.

The Elegies of Albius Tibullus.

Translated into English Verse, with Life of the Poet, and Illustrative Notes. By James Cranstonn, B.A., Author of a Translation of 'Catullus.' In crown 8vo, 6s. 6d.

"We may congratulate Mr Cranstoun on having occupied a place for which his poetical skill, no less than his manifest classical training and acquirements, abundantly fits him."—Saturday Review.

abundantly fits him."—Saturday Review.

"He comes nearer the originals than any of his predecessors that we are acquainted with. . . . The notes are scholarly and really illustrative."—

Examiner.

"By far the best of the few versions we have of this sweet and graceful poet."—Standard.

Tom Cringle's Log.

A New Edition, with Illustrations. Crown 8vo, 6s., or extra gilt, gilt edges, 7s. 6d.

"Everybody who has failed to read 'Tom Cringle's Log' should do so at once. The 'Quarterly Review' went so far as to say that the papers composing it, when it first appeared in 'Blackwood,' were the most brilliant series of the time, and that time one unrivalled for the number of famous magazinists existing in it. Coleridge says in his 'Table Talk' that the 'Log' is most excellent: and these verdicts have been ratified by generations of men and boys, and by the manifestation of Continental approval, which is shown by repeated translations. The engravings illustrating the present issue are excellent."—Standard.

The Buchanites from First to Last. By Joseph Train. Fcap. 8vo, 4s.

Journal of Agriculture,

AND TRANSACTIONS OF THE HIGHLAND AND AGRICULTURAL SOCIETY OF SCOTLAND. Old Series, 1828 to 1843, 21 vols. bound in cloth, £3. 32. New Series, 1843 to 1865, 22 vols., £4. 48.

Rational Theology and Christian Philosophy in England in the Seventeenth Century. By Rev. John Tulloch, D.D., Senior Principal in the University of St Andrews; and one of Her Majesty's Chaplains in Ordinary in Scotland. Author of 'Leaders of the Reformation,' &c. 2 vols. 8vo, 28s.

Leaders of the Reformation:

LUTHER, CALVIN, LATIMER, and KNOX. By the **Rev. John Tulloch**, **D.D.**, Principal, and Primarius Professor of Theology, St Mary's College, St Andrews. Second Edition, Crown 8vo, 6s. 6d.

English Puritanism and its Leaders:

CROMWELL, MILTON, BAXTER, and BUNYAN. By the Rev. John Tulloch, D.D. Uniform with the 'Leaders of the Reformation.' 7s. 6d.

"It is a book which, from its style—firm and interesting, dispassionate and impartial, but yet warm with admiration—will be hailed for fireside reading in the families of the descendants of those Puritan men and their times."—*Ectactic Review*.

Theism.

The Witness of Reason and Nature to an All-Wise and Beneficial Creator. By the Rev. John Tulloch, D.D. 8vo, ros. 6d.

"Dr Tulloch's Essays, in its masterly statement of the real nature and difficulties of the subject, its logical exactness in distinguishing the illustrative from the suggestive, its lucid arrangement of the argument, its simplicity of expression, is quite unequalled by any work we have seen on the subject."—Christian Remembrancer.

Transactions of the Highland and Agricultural Society of Scotland. 1866-1871, 6 Nos., sewed, 4s. each; 1872, cloth, 5s. Continued annually.

A Treatise upon Terrestrial Magnetism.

With numerous Charts, 8vo, 10s. 6d.

Tweed Salmon Reports, 1866.

Reports on the Natural History and Habits of Salmonoids in the Tweed and its Tributaries. Published by authority of the Tweed Fishery Commissioners. Demy 8vo, 3s. 6d.

Narrative of a Journey through Syria and

Palestine. By Lieut. Van de Velde. 2 vols. 8vo, with Maps, &c., £1, 10s.

"He has contributed much to knowledge of the country, and the unction with which he speaks of the holy places which he has visited, will commend the book to the notice of all religious readers. His illustrations of Scripture are numerous and admirable."—Daily News.

The Eneid of Virgil.

Translated in English Blank Verse by G. K. Rickards, M.A., and Lord Ravensworth. 2 vols. fcap. 8vo, 10s.

"Mr Rickards has done good service to the non-classical public by the faithful and beautiful version of Virgil's Æneid now before us, and he has enhanced the boon by a preface of special value, as setting forth fairly and conclusively the respective merits of previous translations, and the special qualities of Virgil as a noet."—Standard.

a poet."—Standard.

"Lord Ravensworth's success and strength are to be found, not so much in his verbal force as in the Virgilian spirit which breathes throughout his lines. No English reader can well miss their poetical grace and vigour; no scholar will deem unfaithful the clean cut, decisive lines of this masterly version."— Evening Standard.

The Wonder Seeker,

Or the History of Charles Douglas. By M. Fraser Tytler, Author of 'Tales of the Great and Brave,' &c. A New Edition. Fcap., 3s. 6d.

Memoirs of the Confederate War for Independence.

By Heros Von Borcke, lately Chief of Staff to General J. E. B. Stuart. 2
vols. post 8vo, with Map, 21s.

Works of Samuel Warren, D.C.L.

Library Edition.

The Diary of a late Physician. In 2 vols. fcap., 12s. Also an Illustrated Edition, in crown 8vo, handsomely printed, 7s. 6d.

Ten Thousand A-Year. Three vols. fcap., 18s.

Now and Then. Fcap., 6s.

Miscellanies. 2 vols. crown 8vo, 24s.

The Lily and the Bee. Fcap. 8vo, 5s.

Samuel Warren's Works.

People's Edition, 4 vols. crown 8vo, cloth, 18s. Or separately:—

Diary of a late Physician. 3s. 6d.

Ten Thousand A-Year. 5s.

Now and Then. Lily and Bee. Intellectual and Moral Development of the Present Age. 1 vol., 45. 6d.

Essays, Critical, Imaginative, and Juridical. 1 vol., 5s.

The Moral, Social, and Professional Duties of Attornies and Solicitors. By Samuel Warren, Esq., F.R.S., of the Inner Temple, Barrister-at-Law. Fcap. 8vo, 9s.

Essays Written for the Wellington Prize.

Selected for Publication, by His Grace's desire, from those specially mentioned by the Arbiter. 8vo, 12s. 6d.

List of Authors.

- I. By Lieut. J. T. HILDYARD, 71st Highland Light Infantry.
- II. By Lieutenant STANIER WALLER, Royal Engineers.
- III. By Captain J. C. RUSSELL, 10th Royal Hussars.
- IV. By Colonel Sir GARNET J. WOLSELEY, C.B., K.C.M.G.
- V. By General J. R. CRAUFURD.
- VI. By Lieutenant C. COOPER KING, Royal Marine Artillery.

The Eighteen Christian Centuries.

By the Rev. James White, Author of 'The History of France.' Seventh Edition, post 8vo, with Index, 6s.

"He has seized the salient points—indeed, the governing incidents—in each century, and shown their received bearing as well on their own age as on the progress of the world. Vigorously and briefly, often by a single touch, has he marked the traits of leading men; when needful, he touches slightly their praphical career. The state of the country and of society, of arts and learning, and, more than all, of the modes of living, are graphically sketched, and, upon the whole, with more fulness than any other division."—Spectator.

History of France,

FROM THE EARLIEST TIMES. By the **Rev. James White**, Author of 'The Eighteen Christian Centuries.' Fifth Edition, post 8vo, with Index, 6s.

Archæological Sketches in Scotland—Kintyre.

By Captain T. P. White, R.E., &c., of the Ordnance Survey. With 138 Illustrations. Folio, £2, 2s.

Through Burmah to Western China:

Being Notes of a Journey in 1863, to Establish the Practicability of a Trade-Route between the Irawaddi and the Yang-tse-Kiang. By Clement Williams, formerly Assistant-Surgeon in the 68th Light Infantry, and First Political Agent at Mandalay to the Chief-Commissioner of British Burmah. Crown 8vo, with Two Maps and Numerous Engravings, 6s.

The "Ever-Victorious Army."

A History of the Chinese Campaign under Lieut.-Col. C. G. Gordon, and of the Suppression of the Tai-ping Rebellion. By Andrew Wilson, **P.A.S.L.**, Author of 'England's Policy in China;' and formerly Editor of the 'China Mail.' In 8vo, with Maps, 15s.

"In addition to a good deal of information respecting China and its recent history, this volume contains an interesting account of a brilliant passage in the military career of an English officer of remarkable promise, and of the important results of his skill and heroism. . . It brings out clearly the eminent qualities of Colonel Gordon, his intrepidity and resources as a military leader, his rare aptitude for a difficult command, his dauntless courage, calmness, and prudence, his lofty character and unsullied honour."—Times.

Works of Professor Wilson.

Edited by his Son-in-Law, Professor Ferrier. In Twelve Vols. Crown 8vo, £2, 8s.

The Noctes Ambrosianæ.

By Professor Wilson. With Notes and a Glossary. In Four Vols. Crown 8vo, 16s.

Recreations of Christopher North.

By Professor Wilson. In Two Vols. New Edition, with Portrait, 8s.

"Welcome, right welcome, Christopher North; we cordially great thee in thy new dress, thou genial and hearty old man, whose 'Ambrosian nights' have so often in imagination transported us from solitude to the social circle, and whose vivid pictures of flood and fell, of loch and glen, have carried us in thought from the smoke, din, and pent-up opulence of London, to the rushing stream or tranquil tarn of those mountain-ranges," &c.—Times.

Essays, Critical and Imaginative.

By Professor Wilson. Four Vols. Crown 8vo, 16s.

Tales.

By Professor Wilson. Comprising 'The Lights and Shadows of Scottish Life; 'The Trials of Margaret Lyndsay;' and 'The Foresters.' In One Vol. Crown 8vo, 4s., cloth. Cheap Edition. Fcap. 8vo, 2s. 6d.

Professor Wilson's Poems.

Containing the 'Isle of Palms,' the 'City of the Plague,' 'Unimore,' and other Poems. Complete Edition. Crown 8vo, 4s.

Homer and his Translators, and the Greek Drama.

By Professor Wilson. Crown 8vo, 4s.

Poems and Songs.

By David Wingate. In fcap. 8vo, 5s.

"It contains genuine poetic ore, poems which win for their author a place among Scotland's true sons of song, and such as any man in any country might rejoice to have written."—London Review,
"We are delighted to welcome into the brotherhood of real poets a country—when the property is the property of the property of

man of Burns, and whose verse will go far to render the rougher Border Scottish a classic dialect in our literature."— John Bull.

Annie Weir, and other Poems.

By David Wingate. Fcap. 8vo, 5s.

Fortification:

For the Use of Officers in the Army, and Readers of Military History. By Lieut. H. Yule, Bengal Engineers. 8vo, with numerous Illustrations, 10s. 6d.

"An excellent manual: one of the best works of its class."—British Army Despatch.

NOW PUBLISHING.

ANCIENT CLASSICS

PA D

ENGLISH READERS

BY VARIOUS AUTHORS.

EDITED BY

REV. W. LUCAS COLLINS, M.A.

Author of 'Etoniana,' 'The Public Schools,' &c.

OPINIONS OF THE PRESS.

"We gladly avail ourselves of this opportunity to recommend the other volumes of this useful series, most of which are executed with discrimination and ability."—Ouarterly Review.

"These Ancient Classics have, without an exception, a twofold value. They are rich in literary interest, and they are rich in social and historical interest. We not only have a faithful presentation of the stamp and quality of the literature which the master-minds of the classical world have bequeathed to the modern world, but we have a series of admirably vivid and graphic pictures of what life at Athens and Rome was. We are not merely taken back over a space of twenty centuries, and placed immediately under the shadow of the Acropolis, or in the very heart of the Forum, but we are at once brought behind the scenes of the old Roman and Athenian existence. As we see how the heroes of this 'new world which is the old' plotted, intrigued, and planned; how private ambition and political partisanship were dominant and active motives then as they are now; how the passions and the prejudices which reign supreme now reigned supreme then; above all, as we discover how completely many of what we may have been accustomed to consider our most essentially modern thoughts and sayings have been anticipated by the poets and orators, the philosophers and historians, who drank their inspiration by the banks of Ilissus or on the plains of Tiber, we are prompted to ask whether the advance of some twenty centuries has worked any great change in humanity, and whether, substituting the coat for the toga, the park for the Campus Martius, the Houses of Parliament for the Forum, Cicero might not have been a public man in London as well as an orator in Rome?"—Morning Advertiger.

"A series which has done, and is doing, so much towards spreading among Englishmen intelligent and appreciative views of the chief classical authors."—Standard.

"To sum up in a phrase our sincere and hearty commendation of one of the best serial publications we have ever examined, we may just say that to the student and the scholar, and to him who is neither scholar nor student, they are simply priceless as a means of acquiring and extending a familiar acquaintance with the great classic writers of Greece and Rome."—Belfast Northern Whig.

List of the Volumes published.

I.-HOMER: THE ILIAD.

By THE EDITOR.

"We can confidently recommend this first volume of 'Ancient Classics for English Readers' to all who have forgotten their Greek and desire to refresh their knowledge of Homer. As to those to whom the series is chiefly addressed, who have never learnt Greek at all, this little book gives them an opportunity which they had not before—an opportunity not only of remedying a want they must often have felt, but of remedying it by no patient and irksome toil, but by a few hours of pleasant reading."—Times.

II.-HOMER: THE ODYSSEY.

By THE EDITOR.

"Mr Collins has gone over the 'Odyssey with loving hands, and he tells its eternally fresh story so admirably, and picks out the best passages so skilfully, that he gives us a charming volume. In the 'Odyssey,' as treated by Mr Collins, we have a story-book that might charm a child or amuse and instruct the wisest man."—Scotsman.

III.-HERODOTUS.

By George C. Swayne, M.A.

"This volume altogether confirms the highest anticipations that were formed as to the workmanship and the value of the series."—Daily Telegraph.

IV.—THE COMMENTARIES OF CÆSAR. By ANTHONY TROLLOPE.

"We can only say that all admirers of Mr Trollope will find his 'Cæsar' almost, if not quite, as attractive as his most popular novel, while they will also find that the exigencies of faithful translation have not been able to subdue the charm of his peculiar style. The original part of his little book—the introduction and conclusion—are admirably written, and the whole work is quite up to the standard of its predecessors, than saying which, we can give no higher praise."—Vanity Fatr.

V.-VIRGIL.

By THE EDITOR.

"Such a volume cannot fail to enhance the reputation of this promising series, and deserves the perusal of the most devoted Latinists, not less than of the English readers for whom it is designed."—Contemporary Review.

"It would be difficult to describe the 'Æneid' better than it is done here, and still more difficult to find three more delightful works than the 'Iliad,' the 'Odyssey,' and the 'Virgil' of Mr Collins."—Standard.

VI.-HORACE.

By THEODORE MARTIN.

- "Though we have neither quoted it, nor made use of it, we have no hesitation in saying that the reader who is wholly or for the most part unable to appreciate Horace untranslated, may, with the insight he gains from the lively, brighf, and, for its size, exhaustive little volume to which we refer, account himself hereafter familiar with the many-sided charms of the Venusian, and able to enjoy allusions to his life and works which would otherwise have been a sealed book to him."—Quar terly Review.
- "We wish, after closing his book, to be able to read it again for the first time; it is suited to every occasion; a pleasant travelling companion; welcome in the library where Horace himself may be consulted; welcome also in the intervals of business, or when leisure is abundant."—Edinburgh Review.
- "In our judgment, no volume (of the series) hitherto has come up to the singular excellence of that now under consideration. The secret of this is, that its author so completely puts himself in Horace's place, scans the phases of his life with such an insight into the poet's character and motives, and leaves on the reader's mind so little of an impression that he is following the attempts of a mere modern to realise the feelings and expressions of an ancient. Real genius is a freemasonry, by which the touch of one hand transmits its secret to another; and a capital proof of this is to be found in the skill, tact, and fellow-feeling with which Mr Martin has executed a task, the merit and value of which is quite out of proportion to the size and pretensions of his volume."—Saturday Review.

VII.-ÆSCHYLUS.

By REGINALD S. COPLESTON, B.A.

"A really delightful little volume."-The Examiner.

"The author with whom Mr Copleston has here to deal exemplifies the advantage of the method which has been used in this series. . . . Mr Copleston has apprehended this main principle, as we take it to be, of his work: has worked it out with skill and care, and has given to the public a volume which fulfils its intention as perfectly as any of the series."—Spectator.

VIII.—XENOPHON.

By SIR ALEXANDER GRANT, Bart., Principal of the University of Edinburgh.

"Sir Alexander Grant tells the story of Xenophon's life with much eloquence and power. It has evidently been with him a labour of love; while his wide reading and accurate scholarship are manifest on nearly every page."—The Examiner.

IX.-CICERO.

By THE EDITOR.

"No charm of style, no facility and eloquence of illustration, is wanting to enable us to see the great Roman advocate, statesman, and orator, in the days of Rome's grandeur, in the time of her first fatal hastening to her decadence, with whom fell her liberty two thousand years ago. The first lines of introduction to this fascinating book are full of help and light to the student of the classical times who has not mastered the classical literature, and in whose interests this book is done, simply to perfection."—Saunders' News-Letter.

X.-SOPHOCLES.

By Clifton W. Collins, M.A.

"Sophocles has now been added to the acceptable and singularly equal series of 'Ancient Classics for English Readers.' Mr Collins shows great skill and judgment in analysing and discriminating the plays of the sweet singer of Colonus."—Guardian.

XI.-PLINY'S LETTERS.

By the Rev. ALFRED CHURCH, M.A., and

The Rev. W. J. BRODRIBB, M.A.

"This is one of the best volumes of the series called 'Ancient Classics for English Readers.' . . . This graceful little volume will introduce Pliny to many who have hitherto known nothing of the Silver Age."—Aihensum.

"Mr Lucas Collins's very useful and popular series has afforded a fit opportunity for a sketch of the life and writings of the younger Pliny; and the writers of the volume before us have contrived, out of their intimate and complete familiarity with their subject, to place the man, his traits of character, his friends, and his surroundings so vividly before us, that a hitherto shadowy acquaintance becomes a distinct and real personage."—Saturday Review.

XII.-EURIPIDES.

By W. B. Donne.

"This is the twelfth instalment of this admirably conducted series, and one of the very best that has yet appeared."—Bell's Weekly Messenger.

XIII.-JUVENAL

By Edward Walford, M.A.

"This is one of the best executed volumes of the whole series of 'Ancient Classics,' and exhibits Mr Walford's critical powers in a very favourable light."—Pall Mall Gazette.

XIV.-ARISTOPHANES.

By the EDITOR.

Other Authors, by various contributors, are in preparation.

A Volume is published Quarterly, price 2s. 6d.

45 GEORGE STREET, EDINBURGH; 37 PATERNOSTER ROW, LONDON.

BLACKWOOD'S CLASS - BOOKS.

Strongly Bound in Cloth, unless otherwise stated.

GEOLOGY. INTRODUCTORY TEXT-BOOK OF GEOLOGY. By David Page, LL.D., &c., 25. od. ADVANCED TEXT-BOOK OF GEOLOGY. By the same, 7s. 6d. is. od. THE GEOLOGICAL EXAMINATOR. By the same. Sewed, 9d. HANDBOOK OF TERMS IN GEOLOGY AND PHYSICAL GEOGRAPHY. By the same, 7s. 6d. ZOOLOGY.TEXT-BOOK OF ZOOLOGY. By H. Alleyne Nicholson, M.D., &c., 6s. od. INTRODUCTORY TEXT-BOOK OF ZOOLOGY. By the 2s. 6d. same. Second Edition, MANUAL OF ZOOLOGY. By the same, 12s. 6d. Examinations in Natural History: Being a Progressive Series of Questions adapted to the Author's Introductory and Advanced Text-Books and the Students' Manual of Zoology. By the same, IS. METEOROLOGY. INTRODUCTORY TEXT-BOOK OF METEOROLOGY. By Alexander Buchan, M.A., &c. . 4s. 6d. PHYSICAL GEOGRAPHY. INTRODUCTORY TEXT-BOOK OF PHYSICAL GEOGRAPHY. 2s. od. By David Page, LL.D., &c., ADVANCED TEXT-BOOK OF PHYSICAL GEOGRAPHY. By the same, 5s. od. Examinations in Physical Geography. By the same. Sewed, 9d. RITTER'S COMPARATIVE GEOGRAPHY. Translated by 3s. 6d. W. L. Gage, ATLAS OF PHYSICAL GEOGRAPHY. By A. Keith Johnston, LL.D., &c. Half-bound, 12s. 6d. PHYSICS. ELEMENTARY HANDBOOK OF PHYSICS. With 210 Diagrams. By William Rossiter, F.R.A.S., &c. ss. od. ENGLISH LANGUAGE. ETYMOLOGICAL DICTIONARY OF THE ENGLISH LAN-GUAGE. Crown 8vo, 7s. 6d. THE SCHOOL ETYMOLOGICAL DICTIONARY AND WORD-BOOK. Fcap. 8vo, pp. 254, 2s. od. English Prose Composition. By Rev. J. Currie, M.A., 1s. 6d. A Manual of English Prose Literature. Designed mainly for the Assistance of Students in English Composition. By W. Minto, M.A., 10s. 6d.

PROGRESSIVE AND CLASSIFIED SPELLING-BOOK.

is 6d.

Miss Lockwood,

BLACKWOOD'S CLASS - BOOKS-Continued.

PALÆONTOLOGY.
A MANUAL OF PALÆONTOLOGY, for the Use of Students. With a General Introduction on the Principles of Palæontology. With upwards of 400 Engravings. By H. Alleyne Nicholson, M.D., &c. One volume, crown 8vo. 15s.
BOTANY.
ADVANCED TEXT-BOOK OF BOTANY. For the Use of Students. By Robert Brown, M.A., Ph.D., Göt., F.R.G.S., Lecturer on Botany under the Science and Art Department of the Committee of the Privy Council on Education. [In the press.]
GEOGRAPHY.
MANUAL OF GEOGRAPHY. By Rev. Alex. Mackay, LL.D., &c. New edition, revised and enlarged,
H I 8 T O R Y.
THE EIGHTEEN CHRISTIAN CENTURIES. By Rev. J. White,
C L A S S I C S. ANCIENT CLASSICS FOR ENGLISH READERS. Edited by the Rev. W. Lucas Collins. 16 Volumes are published, 2s. 6d. each. The above series is well adapted for Ladies' Schools. ATLAS OF CLASSICAL GEOGRAPHY. By A. Keith
Johnston, LL.D., &c. Half-bound, 12s. 6d.
A G R I C U L T U R E.
ELEMENTS OF AGRICULTURAL CHEMISTRY. By J. F. W. Johnston, 6s. 6d. CATECHISM OF AGRICULTURAL CHEMISTRY. By J. F. W. Johnston,
CATECHISM OF AGRICULTURE. By Henry Stephens, 1s. od.
ARITHMETIC. THE THEORY OF ARITHMETIC. By David Munn,

. ` . '

•

. .

